FRONTISPIECE



Wale delin. *Pond sculp.*

Prompted by fatal Lust of baneful Gold,
The Villain's Crime and Punishment behold:
And while destruction's dreadful Road you see,
The Crime detest, and shun the fatal Tree.

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THE

TYBURN CHRONICLE:

OR,

VILLAINY DISPLAY'D

IN ALL ITS BRANCHES.

CONTAINING

AN AUTHENTIC ACCOUNT

OF THE

LIVES, ADVENTURES, TRYALS, EXECUTIONS, and LAST DYING SPEECHES of the

MOST NOTORIOUS MALEFACTORS

Of all Denominations, who have ſuffered for

Bigamy,	Murders,	Riots,
Forgeries,	Perjury,	Sodomy,
Highway-Robberies,	Piracy,	Starving,
Houſe-Breaking,	Rapes,	Treaſon,

And other the moſt enormous Crimes.

The Whole being the moſt faithful Narrative ever yet Publiſhed of the various Executions, and other Puniſhments, In *ENGLAND*, *SCOTLAND*, and *IRELAND*, From the Year 1700, to the preſent Time.

How dreadful the Fate of the Wretches who fall,
A Victim to Laws they have broke!
Of Vice, the Beginning is frequently ſmall,
But how fatal at length is the Stroke!
The Contents of theſe Volumes will amply diſplay
The Steps which Offenders have trod:
Learn hence, then, each Reader, the Laws to obey
Of your Country, your King, and your God.

LONDON:
Printed for J. COOKE, at Shakeſpear's-Head, in Pater-noſter Row.

MVSEVM
BRITAN
NICVM



GEORGE, R.

GEORGE the Third, by the Grace of God, King of Great-Britain, France and Ireland, Defender of the Faith, &c.

To all whom theſe Preſents ſhall come Greeting,

WHEREAS *our truſty and well-beloved* JOHN COOKE, *of* Pater-noſter-Row, *in our City of* London, *Bookſeller, hath humbly repreſented to Us, that he hath been at very great Labour and Expence in collecting Books and Manuſcripts, and in employing divers Perſons to write and compile a* WORK, *intituled,* The Tyburn Chronicle; or Villainy Diſplayed in all its Branches: *Containing an authentic Account of the Lives, Adventures, Trials, Executions, and laſt Dying Speeches, of the moſt notorious Malefactors of all Denominations, who have fallen a Sacrifice to the juſt and equitable Laws of their Country: The whole being the moſt faithful Narrative ever publiſhed, of the various Executions and other Puniſhments, in* England, Scotland, *and* Ireland, *from the Year* 1700 *to the preſent Time; accompanied with proper Reflections ariſing from the ſeveral Subjects: Which Work he humbly apprehends will be of the utmoſt Advantage to our Subjects in General, and more eſpecially*

to

to the Youth of theſe Kingdoms; as by exhibiting the Gradations of Vice, and ſhewing the Picture in its native Deformity, it will effectually advance the Cauſe of Religion and Virtue. We being willing to give all due Encouragement to this Undertaking, do therefore, by theſe Preſents, ſo far as may be agreeable to the Statute in that Caſe made and provided, grant unto him the ſaid JOHN COOKE, *his Executors, Adminiſtrators, and Aſſigns, Our Licence for the* ſole Printing, Publiſhing and Vending, the ſaid Work, for the Term of fourteen Years; *ſtrictly forbidding all Our Subjects within Our Kingdoms and Dominions, to reprint, abridge, or publiſh the ſame, either in the like or any other Volume or Volumes whatſoever; or to import, buy, vend, utter, or diſtribute, any Copies thereof, reprinted beyond the Seas, during the aforeſaid Term of Fourteen Years, without the Conſent or Approbation of the ſaid* JOHN COOKE, *his Heirs, Executors, or Aſſigns, under their Hands and Seals, firſt had and obtained, as they will anſwer the contrary at their Perils. Wherefore the Commiſſioners, and other Officers of Our Cuſtoms, the Maſter, Wardens, and Company of Stationers, are to take Notice that due Obedience may be rendered to Our Will and Pleaſure herein declared. Given at Our Court at* St. James's, *this Thirteenth Day of* May, *One thouſand ſeven hundred and ſixty eight, in the Eighth Year of Our Reign.*

By his Majeſty's Command,

SHELBURNE.

PREFACE.

ENTERTAINMENT, joined with Inſtruction, ſhould be the great aim of all writers; and the author who conſults not the methods by which to blend the uſeful with the agreeable, will find, to his ſorrow, that he has laboured in vain.. A book, in which amuſement alone is conſulted, is below the notice of a reaſonable creature: and a mere dry ſyſtem of argumentation, or a dull recital of unintereſting facts, will meet with the contempt of every reader.

In the preſent work we have laboured to ſteer clear of both extremes; ſelecting, on all occaſions, what was beſt and fitteſt for our purpoſe, and rejecting ſuch matters only as our readers, on the peruſal, would otherwiſe have wiſhed we had rejected.

Beſides the many valuable manuſcripts with which the compilers of theſe volumes have been favoured, they have one advantage over all their predeceſſors; the great advantage of publiſhing laſt: every thing worth our notice that has been heretofore printed, has been examined with care, and the eſſence of all the other

other books of this kind extracted for the embelliſhment of our own.

If we reflect on the ſtrong propenſity of mankind to evil, and on the force of bad examples, we ſhall be at no loſs to account for the great number of executions which diſgrace our age and nation: but let it be remembered, that the path of vice, however pleaſing to the view, is encumbered with the thorns of anxiety, and is ſure to *end in deſtruction*.

If we conſider the deplorable fate of the many wretches who have fallen a ſacrifice to the indulgence of irregular paſſions, we ſhall be apt to blame the negligence of parents, in not guarding their children, by all the means of inſtruction and example, againſt the firſt attacks of vice.

This work is therefore offered to the public, and eſpecially to the younger part of the world, as a *warning-piece* to avoid the fatal ſnares by which others have been deluded.

If young perſons would but conſider the unhappy conſequences of deviating from the plain paths of virtue; if they would but ſeriouſly reflect on the long train of miſeries that are the neceſſary conſequences of a life of vice and debauchery, one would imagine they ſhould want no other inducement than their own ſafety, to engage them to purſue, with ſteadineſs and alacrity, that courſe of life which will infallibly lead to happineſs both here and hereafter.

But as people in general do not give themſelves the trouble to think ſeriouſly, and draw

rational

rational concluſions for their own benefit, and as example is more prevalent than precept, we have in this work exhibited ſo many various inſtances of the deluſive charms of vice, that the reader who does not ſee and acknowledge the ſuperior force of virtue, muſt be dead to all manner of reflection, and wholly loſt in ſenſuality.

It has been objected to the ſeverity of the Engliſh Laws, that a mere deprivation of the property of an individual, is not a crime atrocious enough to deſerve a public and ignominious death: without entering into this argument, and leaving the framing our laws to the wiſdom of the Legiſlature, we will only obſerve, that if a young thief is not cut off in the beginning of his career, he generally grows up into a hardened ſinner, and the gallows at length ends his days, when he has done ten times more miſchief to the community than he otherwiſe could have done; beſides, if we ſuppoſe that only one perſon is terrified from the purſuits of vice, by the force of his being made a public example, we muſt own that his death was a real benefit to the Community.

It has been ſaid that the crime of Forgery is not leſs frequently practiſed at preſent, than it was before the Act of Parliament which made that crime capital; yet if we conſider the increaſing poverty and the increaſing depravity of the times, we cannot but own that if Forgery was not *now* a Capital offence, we ſhould in all probability have many more inſtances of the

the commiſſion of that crime than we have; a crime, which, as it ſtrikes at the root of Trade, ought to be moſt ſeverely puniſhed in a trading nation.

With regard to the Execution of this work, we have only to obſerve, that it is freed from thoſe numberleſs and tedious repetitions with which books of this nature too much abound, and that the whole is thrown, as near as poſſible, into the form of a pleaſing narrative: In ſome inſtances however, the narrative ſtile could not be adopted, for in the depoſitions of the witneſſes in ſome trials, particularly in thoſe for Rapes and Privately-ſtealing, there is ſomething ſo ſingular, and in ſome caſes ſo *ridiculouſly diverting* that it would have been depriving our readers of great pleaſure, to have given theſe accounts in any other Words than thoſe of the deponents themſelves.

We flatter ourſelves that his MAJESTY's Authority will be no diſrecommendation to this work, eſpecially as it is printed and embelliſhed in ſuch a manner as not to diſgrace the ROYAL SANCTION.

THE

THE

Tyburn Chronicle.

Account of the Life and Trial of JOHN LARKIN, *who was executed for High Treaſon.*

AT the ſeſſions held at the Old Bailey on the 5th of April, 1700, *John Larkin*, alias *Robert Young*, was indicted for high treaſon, in counterfeiting the current coin of this kingdom; and the evidence being clear againſt him, the jury found him guilty of the indictment, in conſequence of which he received ſentence of death.

This perſon was born at Antrim in Ireland, of very creditable parents, who obſerving that their ſon poſſeſſed a very conſiderable ſhare of genius, took ſome pains to cultivate it by a liberal education.

When he had been ſome years at ſchool, and obtained a competent knowledge of ſeveral arts and ſciences, he was entered as a ſtudent in the univerſity of Glaſgow, in Scotland, where he went through his ſtudies with applauſe, and then returning to Ireland commenced ſchoolmaſter, in which ſtation he behaved himſelf ſo well, that he met with the greateſt ſucceſs: but being of an unſettled diſpoſition, he left his ſchool, and taking upon him the gown, viſited the

remoteſt part of the kingdom, and officiated in ſeveral places as a clergyman.

After ſome time he came to England, and was made maſter of a free-ſchool in Lancaſhire, where he had about an hundred ſcholars under his care; but he was ſo bad an œconomiſt, that he could by no means live within the bounds of his income, and was therefore frequently contriving ſome new methods by which he might ſupport his extravagance.

At length he came to a reſolution to forge bonds and other papers, in which pernicious practices he became ſo great a proficient, that he ſaid he could forge almoſt any hand ſo artfully, that it would be difficult for a perſon to know his own hand writing from the forgery.

He acknowledged that he had frequently affixed the hand of a biſhop and ſeveral other eminent divines to letters teſtimonial, by which he had collected conſiderable ſums of money, under pretence of redeeming poor chriſtian captives who were in ſlavery.

He uſed alſo to forge goldſmiths notes, and bills of exchange; and continued theſe practices for a conſiderable time, but being at length detected, he was impilloried, and committed to priſon till ſuch time as he ſhould diſcharge a fine which was impoſed on him; and which was ſo large that he had little or no hopes of regaining his liberty.

While he remained in priſon, ſome perſons, who were afterwards evidences againſt him at his trial, uſed to coin money, endeavoured to prevail upon him to aſſiſt them; but he declared that he conſtantly refuſed to do it, that he never ſhared any money with them, and had no farther concern than merely as a ſpectator: but as the contrary to this had been ſo poſitively ſworn, the Ordinary of Newgate ſuſpected his ſincerity, and urged him to make an ingenuous confeſſion: to which he replied that he knew his duty extremely well, though he had acted contrary to it;

but

but if it ſhould be his fate to die, he would, at the place of execution, diſcover ſomething which might be a warning to ſeveral perſons who had been concerned in the like wicked practices with himſelf.

At the place of execution he informed the Ordinary, that being confined in Newgate with one Charles Newey, who was convicted of felony, and had been fined and impilloried for ſuborning an evidence to ſwear falſly, he was prevailed upon by Newey, in conſideration of a ſum of money, to write a ſcurrilous libel, called "the Caſe of Captain Charles Newey," containing very notorious falſhoods, and ſcandalous reflections on the Lord Chief Baron, the Recorder, and other judges who tried the ſaid Newey: for which he now ſincerely begged pardon of thoſe gentlemen.

Having made this confeſſion to the Ordinary, he turned to the people, and in a very earneſt and pathetic manner begged they would take warning by his puniſhment, and ſhun thoſe crimes for which he was there made a public ſacrifice to the laws of his country. After prayers he took a decent leave of the ſpectators, and having returned thanks to the Ordinary for his charitable viſits to him while under condemnation, he delivered him a paper, the ſubſtance of which is as follows.

That being truly ſenſible that the numerous offences he had committed had juſtly drawn down the vengeance of heaven upon him, he thought it his duty to make all the reparation in his power, by leaving the world a true narrative of all his irregular proceedings: but not having time ſufficient to complete ſuch a work, he mentions only the following circumſtances.

He ſays that he was concerned in a pretended plot, ſuppoſed to have been carried on by the Earls of Marlborough and Saliſbury, the Biſhop of Rocheſter, and ſeveral others, for which he was committed to Newgate till he ſhould diſcharge a heavy fine.

While he was in Newgate, one Henry Pearſon, who was committed to the ſame place for debt, obſerving how very expert Larkin was in counterfeiting of hands, told him that if he could contrive a ſham plot, and father it upon thoſe noble lords, he might ſoon obtain money enough to pay his fine: that being at that time in low circumſtances, he readily agreed to the propoſal, but told Pearſon that nothing could be done in the affair till he obtained his liberty, which ſoon after happened.

When he was at liberty, he employed one Blackhead to carry letters between them; and having got ſight of the Earl of Marlborough's hand he counterfeited it with ſo much dexterity, that it was very difficult to diſcern the true from the falſe. This being done, he drew up an aſſociation, to which he affixed the names of the earls of Marlborough and Saliſbury; and thoſe of ſeveral other perſons of diſtinction were written by another hand. That the greater credit might be given to this pretended plot. Larkin wrote ſeveral letters in Lord Marlborough's name, ſuppoſed to be directed to himſelf, which Blackhead uſed to bring to him again; yet Blackhead ſwore before the lords of the council, that the Earl had ſent them to him, though he knew that Larkin forged them, and ordered them to be ſent in that manner.

Larkin declares that he neither ſet the Biſhop of Rocheſter's nor the Lord Cornbury's hand writing to the paper, yet acknowledges that it was done by his appointment. He declares himſelf innocent of the charge of having written theatning letters to the Biſhop of Rocheſter, or being any way concerned in the ſame.

He ſays, that though he was not guilty of the crime of coining, (for which he died) yet, that he had committed ſo many forgeries, cheats, &c. that it was almoſt impoſſible to recount them. He owns that in the year 1695, being at that time in the King's Bench priſon

priſon, he procured himſelf to be removed by *Habeas Corpus* to the Fleet, where, in conjunction with ſeveral other priſoners, he defrauded one Mr. Laſinby, of Leeds, in Yorkſhire, out of cloth to the value of 135*l.*—that in 1697, the Warden of the Fleet removed him back to the King's Bench: where, by the advice and aſſiſtance of ſeveral other priſoners, he endeavoured to cheat Mr. Lofthouſe, a goldſmith in Fleet ſtreet, and Mr. Machiels, a merchant of Amſterdam, out of 2000*l.* but the ſcheme failing, John Carry, one concerned in the plot, was impilloried for the ſame.

After this, Larkin forged leaſes as under the hand of Dr. Thomas Lamplugh; beſides which, he cheated different perſons out of ſeveral hundred pounds, under pretence of mortgaging eſtates: and in the year 1698 he cheated Mr. Reynolds, an undertaker, of a velvet pall, too Cloaks, &c. by means of a forged letter, as from a correſpondent in the country, and being tried for this offence at Guildhall, he was fined two hundred marks, and ſentenced to be impriſoned in Newgate.

This malefactor was executed at Tyburn on the 19th of April, 1700.

Account of the Trials and Execution of MICHAEL VAN BERGHEN, CATHERINE VAN BERGHEN, *and* GERRARD DROMELIUS, *for the Roberry and Murder of* OLIVER NORRIS.

AT the ſeſſions held at the Old Bailey on the 24th of June 1700, *Michael Van Berghen*, *Catherine Van Berghen*, and *Gerrard Dromelius*, were indicted for the roberry and murder of *Oliver Norris*.

A perſon who lived in the neighbourhood of Mr. Van Berghen, depoſed, that on the morning after the murder

murder of Mr. Norris, going to the back part of his own houſe, and looking at the water in the ditch which ran out of the Thames into St. Catherine's, he ſaw the toe of the boot above the ſurface of the water; upon which he got a pole with a hook upon the end of it, and raiſing up the boot, perceived, above the upper part of it, a ſcarlet Stocking: and finding that the whole was the body of a man, he got aſſiſtance to take it out, which being done, they found the throat was cut in a ſhocking manner, and that the coat and waiſtcoat had been taken off the body.

Some other evidences depoſed that when they heard of the finding the body, they went to view it, and to try if they could diſcover any droppings of blood by which the place where the murder was committed might be diſcovered; but finding none, they recollected that being up very early that morning, they had met Michael Van Berghen and Gerrard Dromelius coming from that part of the common ſewer where the body was found; and that they had obſerved a light carried from place to place in Van Berghen's houſe.

Some of the neighbours depoſed, that on the night the murder was committed, they heard a great noiſe in Van Berghen's houſe; upon which, they the next morning took with them a proper officer, and ſearched the houſe, but found nothing to give them any ſuſpicion, except a little blood behind one of the doors of a room which appeared to have been lately mopped: then they enquired for Gerrard Dromelius, but could learn nothing more than that he was gone from thence; upon which they ſecured Michael Van Berghen, his wife, and the ſervant maid; and a waterman informed them that not long before he had carried Dromelius over the water with a hamper to Rotherhithe, they ſent perſons in ſearch of him, who ſoon diſcovered the place where he had taken lodgings, and found the hamper, which contained a coat,

waiſtcoat,

waiſtcoat, hat, wig, &c. all very bloody, and which appeared to have belonged to the deceaſed.

Van Berghen's ſervant maid depoſed, that on the night of the murder, Mr. Norris came to her maſter's houſe, diſguiſed in liquor, about eight o'clock and continued drinking wine till eleven, when he deſired to have a coach to go home, and growing very importunate, her miſtreſs at length bid her go for one, but at the ſame time whiſpering her to return and ſay ſhe could not get a coach: this ſhe did, upon which Mr. Norris inſiſted on going without one, and went out of doors, but ſoon returned, and told her miſtreſs he had loſt his money there, and would have ſatisfaction: that he talked ſo loud, and in ſuch an angry manner, that ſeveral perſons who were paſſing by the door took notice of it; upon which her miſtreſs deſired him to walk into the room, telling him that he ſhould have ſatisfaction: after this, high words ariſed between Mr. Norris, and her maſter, miſtreſs, and the drawer, her miſtreſs bid her go to bed, which ſhe accordingly did; and when ſhe was there ſhe heard a buſtling below ſtairs, but knew not what was the matter: but when ſhe had been ſome time in bed, her miſtreſs came into her room with a candle, and took away a hamper which was there: that ſhe ſhould have got up, but her miſtreſs deſired her to lie ſtill: that ſhe aroſe early in the morning, and found the room in which ſhe left her maſter, miſtreſs, Mr. Norris and Dromelius, had been newly waſhed, which Mrs. Van Berghen had never been uſed to do herſelf: that her miſtreſs directed her with a pail and mop to waſh a bench at the door, on which ſhe ſaw ſome blood. She farther ſaid, that ſhe enquired what was become of Mr. Norris, but her miſtreſs bid her hold her tongue, and ſay nothing about him, for their lives were all in her (the maid's) power: ſhe likewiſe aſked for Dromelius, and was told he was gone.

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The fact was positively denied by all the prisoners, who declared that Mr. Norris went away about eleven o'clock, and they knew not what became of him afterwards: but the jury having considered all the circumstances of the evidence, found them all guilty of wilful murder, and sentence of death was accordingly passed upon them.

Some time after condemnation, and when all hopes of a reprieve were vanished, Gerrard Dromelius declared to the Ordinary of Newgate that he himself committed the murder, and mentioning the following circumstances; that Mr. Norris being resolved to go to an Inn where he lodged near Aldgate, his master ordered him to conduct the gentleman thither, as he was very much in liquor: that soon after they were out of the house, Mr. Norris went into an adjacent broken building to ease himself, and that he there gave him very angry words, and attempted to draw his sword upon him; upon which he (Dromelius) closed with him, wrested the sword out of his hand, and gave him several stabs with it: that while Mr. Norris was in this condition, groaning for life, he heard a watchman coming along, and fearing a discovery, he drew a knife, and put an end to his groaning by cutting his throat.

In answer hereto the Ordinary said that this account of the matter was very improbable, for if the murder had been committed where he said it was, there would have been blood seen at the place, and if the wounds had been given while the cloaths were on, there would have been holes in the cloaths, which was not the case. Dromelius said that there might be holes in the cloaths, though they were not observed, that there was a great deal of blood near the place where the body was found, (though none was seen) and that there would have been more if he had not torn the gentleman's shirt, and put it into the bleeding wounds; and he absolutely insisted on

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it that he alone was guilty of the murder, and that his maſter and miſtreſs where altogether ignorant of the matter.

The Ordinary aſked him what he could propoſe from taking the whole blame upon himſelf, as it could be of no ſervice either to his maſter or miſtreſs, ſince they were condemned to die upon the ſtrength of the evidence; and told him he was guilty of a horrid crime in denying the truth; adding, that the familiarity that there appeared to have been between him and his miſtreſs, might influence him to make this declaration with a view of ſaving her life.

This diſcourſe made him weep and groan bitterly, but produced no alteration in his ſtory: he acknowledged that he had been too familiar with his miſtreſs, which he ſeemed to lament, and wiſh he had a longer time for repentance. The Ordinary now charged him with his vile treatment of the memory of the deceaſed, in declaring that he would have committed the deteſtable ſin of ſodomy with him, which was the reaſon he fought and killed him: this however Dromelius quickly declared to be a mere contrivance of his own, to make his guilt appear the leſs odious.

When they came to the place of execution, Van Berghen and his wife behaved with decency, praying to God, and deſiring the prayers of ſome miniſters of their own country, as well as others who attended on them; and Dromelius being again aſked concernin the murder, would give no other account than what he had before given; but he deſired the people to take example by him, and ſtudiouſly avoid all vice, and particuliarly the indulgence of violent paſſions, which he ſaid had brought him to that untimely end.

Michael Van Berghen not being able to expreſs himſelf intelligible in Engliſh, ſpoke in Latin. He abſolutely denied that the murder was committed in

his houſe, or that he knew any thing of it: hereupon the Ordinary reminded him that it had been poſitively ſworn on his trial, that he and Dromelius were ſeen early in the morning, coming from the common ſewer where the dead body was found; but he ſtill perſiſted in denying that he had any concern in the murder, and could be only brought to own, that immediately after the fact was committed, Dromelius informed him, as he lay in his bed, that he had wounded the gentleman, and deſired him to aſſiſt him in his eſcape; but that when he learnt that the gentleman was really murdered, he gave money to ſome perſons to purſue the murderer, in order that he might be brought to juſtice: yet on his trial he produced no witneſſes to prove this circumſtance, which, if true, would have been a great argument in his favour.

Mrs. Van Berghen likewiſe proteſted, in the moſt ſolemn manner, that the murder was not committed in their houſe, nor did ſhe know any thing of it till ſome time after it was done. She declared that Dromelius came up ſtairs into the room where they lay, and ſaid he had murdered the gentleman; upon which ſhe went for the hamper to put the bloody cloaths in, and aſſiſted the drawer in his eſcape; in which ſhe ſaid ſhe had done nothing more than what was cuſtomary in Holland.

They, were executed in Eaſt Smithfield, near the place where the murder was committed: and ſoon after the execution, the body of the woman was buried, but the two men were hung in chains between Mile End and Bow.

Account

Account of JOHN SIMPSON, *who was executed for House-breaking.*

JOHN SIMPSON having, in the year 1698, been convicted of a burglary and transported, soon found means to get back to England, where he followed his old practices, for some time; but being apprehended, he was indicted at the Old Bailey on the 4th of July 1700, for breaking open the dwelling house of Elizabeth Gawden, and stealing two feather-beds, and other things; and pleading guilty to the indictment, he received sentence of death.

He said that he had been guilty of more robberies than he could recollect, and that he had robbed on the high way, as well as broke open houses. He declared that while he was a soldier in Flanders, it was his frequent practice to rob the officers tents, and that once he robbed king William's tent, from which he took about a thousand pounds.

He said he had committed so many robberies both in England and Flanders, as to have obtained the name of "Captain of the robbers;" but more particuliarly in Flanders, where he said the gates of the city of Ghent had been twice shut up within the space of a fortnight in order to apprehend him, and that when he was taken, they put irons about his arms, neck, legs and back, and in that condition carried him about the streets for a public spectacle.

He declared that it was his frequent custom to strip the Roman Catholics, as they went to mass at five o'clock in the morning; that he and two others had gone with drawn swords, and committed robberies even at the very altar; and when the mob had been

raiſed upon them, they have ran about the ſtreets laughing, and defied them.

He robbed the church of St. Peter, in the city of Ghent, of plate to the value of twelve hundred pounds, though it had been an aſylum for him at a time when he had been condemned for a murder; reſpecting which affairs he mentioned the following particulars; that having killed a man in a quarrel, he was taken up, tried, and condemned; but finding means to break out of priſon, he fled to the abovementioned church, and in four days time the prieſts procured him a pardon: being thus become acquainted with all the avenues of the church, and the places where the plate was depoſited, he ſoon afterwards ſtole it, and got away; however, he was taken up upon ſuſpicion, but acquitted for want of ſufficient proof againſt him.

He ſaid that he had never murdered any perſon in the courſe of his robberies, but had killed four or five men in quarrels. He likewiſe added, that he was one of thoſe who had broke out of Newgate the Chriſtmas before; that he had been caſt upon two indictments for felony, and that his true name was John Holliday.

The Ordinary ſuſpecting the truth of the greater part of the abovementioned circumſtances, ſaid that he imagined he told him thoſe things in order to be hereafter talked of; but he declared that all which he had confeſſed was abſolutely fact. The Ordinary then expreſſed his wonder that he had not left off his wicked courſes while he might have done it with ſafety, as he confeſſed that he had at ſeveral different times poſſeſſed large ſums of money: but he ſaid that he never had the power to make a right uſe of what he had procured by wicked and unlawful means.

He was then urged to diſcover his accomplices, that knowing themſelves in danger, they might, through mere neceſſity, abandon their preſent infamous methods

thods of living, and endeavour to procure an honeſt ſubſiſtence ; but this he ſcrupled to do, ſaying it was ungenerous to betray his friends and acquaintance : yet when he was told it was for their intereſt that ſuch diſcovery ſhould be made, he mentioned the names of ſeveral, both men and women, whom he exhorted to reform their lives without loſs of time.

Being told that in juſtice to the public, he ought to declare if he knew any particular methods by which thieves uſed to get into houſes, he ſaid that their way was to ſtand upon each others ſhoulders to the number of three, and that the uppermoſt getting into the chamber window, uſed to ſtrike a light, make up a bundle, and throw it out to his accomplices ; and that about ſupper-time was thought the ſafeſt, as the ſervants were then uſually engaged in attending the family.

He ſaid that being weary of committing iniquity, he had no deſire to live any longer : and that he had been in all probability as great an offender as ever lived; that he had been guilty of blaſphemy, drunkenneſs, lewdneſs, ſacrilege, robbery and murder. With regard to robbery, lewdneſs, and blaſphemy, he ſaid that he once thought them eſſential to his profeſſion as a ſoldier ; but that he was now of a very different opinion.

At the place of execution he declared his willingneſs to die, ſaying that death was more acceptable to him than a reprieve would be, for if he was again permitted to go abroad in the world, he ſhould probably be guilty of ſuch crimes as would deſtroy him for ever ; whereas, by yielding his life a forfeit to offended juſtice, he had hopes of obtaining pardon for all his ſins.

This malefactor was executed at Tyburn, in the fortieth year of his age, on the 20th of July 1700.

The Trial and Behaviour of JOHN COWLAND, *for ſtabbing Sir* ANDREW SLANNING, *Bart.*

JOHN COWLAND, Gentleman, was indicted at the Old Bailey, on the 5th of December, 1700, on three ſeveral indictments; the firſt was at the common law, the ſecond on the ſtatute of ſtabbing, and the third on the Coroner's Inqueſt, for the murder of Sir Andrew Slanning, Baronet.

The firſt evidence depoſed, that as ſhe ſat in the pit at the playhouſe, behind Sir Andrew Slanning, he fell into diſcourſe with one of the orange-women, and told her that a friend of his had met with a woman at the playhouſe, who had afterwards picked his pocket, uſed him ill, and taken five pounds worth of hair out of his wig; * on which the orange-woman told Sir Andrew, that ſhe believed ſhe could tell who the perſon was, and get back what he had loſt for the expence of a guinea: Sir Andrew thanked her, and begged to have the pleaſure of her company to drink a glaſs of wine as ſoon as the play was ended, to which ſhe conſented.

When the play was over, Captain Wagget went out firſt, and not knowing the way, fell down the ſteps; upon which they went out Drury-Lane way. Sir Andrew then aſked her if that was the neareſt way to the Roſe-tavern, and ſhe told him that it was not the neareſt way, but they might go through vinegar-yard, in which place they met Mr. Cowland, who put his arm round her neck; upon which Sir Andrew deſired he would be civil, ſaying ſhe was his wife; but Mr. Cowland ſaid he could not have two at once, and then

* The reader will pleaſe to remember, that ſixty or ſeventy years ago, wigs bore a very high price to what they do at preſent.

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they both drew their ſwords, but no paſs was made, for the crowd drove them as far as the Roſe-tavern, to which place Captain Wagget came, and deſiring them to walk in, ſaid he would endeavour to compromiſe the difference.

Sir Andrew and this deponent now went into the kitchen, where there was a violent diſpute between captain Wagget and Mr. Cowland, who appeared to be extremely angry, and determined to reſent the ſuppoſed affront; but at length, through great perſuaſion, they appeared to be reconciled, and aſked Sir Andrew to go up ſtairs to take a glaſs of wine with them. Mr. Cowland went up firſt, when he was about half way up the ſtairs, drew his ſword and ſcabbard out of the belt: Sir Andrew and this deponent went up next, and captain Wagget laſt.

When Mr. Cowland came to the top of the ſtairs, he ſtabbed Sir Andrew in the belly, before he ſpoke a word, gave him the leaſt provocation, or had even time to draw his ſword. Sir Andrew finding himſelf wounded, cried out murder; on which, one of lord Warwick's gentlemen and two other perſons ran up ſtairs, and immediately ſeizing Mr. Cowland, diſarmed him of his ſword, which was bloody on the blade about the length of five inches.

The above circumſtances were confirmed by ſeveral other evidences, ſome of whom likewiſe depoſed, that after the affair, Mr. Cowland deſired to ſee Sir Andrew, which being at length agreed to, he took an opportunity of jumping down the ſtairs, and endeavoured to make his eſcape, but he was purſued and taken.

Other witneſſes depoſed that Sir Andrew was a very civil, good natured gentleman, not at all diſpoſed to quarrel, that he had an eſtate of 20,000l. a year, and was the laſt of all his family, which was now extinct by his death.

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The priſoner called ſeveral perſons who gave him a good character, but had nothing material to urge in his defence; and the fact being plainly proved, the jury, though they acquitted him of the indictment at common law, and that on the Coroner's Inqueſt for murder, yet found him guilty on the ſtatute of ſtabbing, and he received ſentence of death.

From the firſt day of his confinement to his dying moment, the Ordinary ſays, he expreſſed the moſt unfeigned ſorrow for this, and all his other tranſgreſſions. He was born of creditable parents, who put him apprentice to a goldſmith, and he ſpent the former part of his life in a ſober and religious manner, regularly attending the public worſhip of God, reading the ſcriptures, and endeavouring to improve himſelf in divine knowledge; but unhappily leaving this courſe of life, he gave himſelf up to all the ſinful pleaſures of the world, which ſoon had ſuch an effect, that his actions became every day more and more irregular.

He acknowledged that in his career of wickedneſs, his thoughts occaſionally reverted to a ſenſe of his duty, and he ſometimes formed reſolutions to return to the paths of virtue and religion: but his attachment to vicious pleaſures was ſuch, that he was unable to put his good reſolutions in practice, ſo that he daily ſunk deeper and deeper in ſin, which in the end led him to commit the enormous crime, for which he was to fall a ſacrifice to the injured laws of his country: and he profeſſed an abhorrence for it, not ſo much becauſe he was to die for it, as becauſe it had rendered him odious in the ſight of God.

This unhappy man, who appears to have been a ſincere penitent, was executed at Tyburn on the 20th of December, 1700.

Account of CAPTAIN KIDD, *his Piracies, Trial and Execution.*

CAPTAIN KIDD being charged with piracy committed on the high ſeas, was brought to his trial at a ſeſſions of Admiralty, held at the Old Bailey on the 8th of May, 1701, and being legally convicted, received ſentence of Death.

Though the affair of Captain Kidd made a great noiſe in the world, the captain himſelf was in fact a very inſignificant fellow; he was of an obſcure birth, his abilities were mean, his appearance vulgar, and his manners in the higheſt degree brutal. He had ſpent the greater part of his life at ſea, and for ſome years reſided at New York, where he became maſter of a little veſſel, in which he traded with the pirates, obtained a thorough knowledge of their haunts, and could give a good account of them. He was extremely willing to get money by the pirates, and would have been as willing to hang them for gain. Though not wholly deſtitute of courage, he did not greatly abounded in it.

When among the pirates, he accuſtomed himſelf to live and talk as profligately as they did; but at other times he pretended to honeſty, and frequently aſſerted, that it would be no difficult matter wholly to extirpate this wicked crew. This method of talking occaſioned his being taken notice of by ſome eminent planters, who formed a more favourable opinion of him than he deſerved, procured him the countenance he afterwards met with: but before we decend to particulars reſpecting this man, it will not be improper to mention the ſituation of affairs, previous to, and at the time of, his appearance in public life.

For ſeveral years ſucceſſively there had been great and juſt complaints of piracies in the Weſt Indies, which were but two much encouraged by the inhabitants of our plantations, for the ſake of the profit made by purchaſing the goods which were piratically obtained. In conſequence whereof, the late King William, in the year 1695, appointed the Earl of Bellamount, Governor of New York and New England.

After his lordſhip was honoured with this appointment, and before he ſet out for his government, he began to enquire into the moſt proper methods for rectifying theſe abuſes, and repreſented it to Colonel Levingſton, a gentleman who had a conſiderable property in New York, as a matter that nearly concerned the honour and intereſt of the plantation. Hereupon the Colonel recommended to the notice of his lordſhip, one Captain Kidd, who was then lately arrived from New York, in a ſloop of his own, as a brave and experienced man, who was acquainted with the haunts of the pirates, and therefore very proper to be employed againſt them.

His lordſhip approving of the ſcheme, and knowing how earneſt the king was for the extirpation of thoſe miſcreants, mentioned the affair to his majeſty, who, applauding the deſign, recommended it to the Board of Admiralty: but the affairs of the nation being then in a perplexed ſituation, and great difficulties found in manning the fleet, the board though they approved of the affair, did nothing to advance it.

Colonel Levingſton, taking care to inform himſelf of all that paſſed, and finding the matter neglected, applied to the Earl of Bellamont, and obſerved that as this affair would not well admit of delay, and the public could not then undertake it, it would be a laudible action in ſome perſons of eminence to cary it into execution at their own expence. This propoſal, though it met with approbation, was attended

tended with ſome difficulty: but it was at length agreed, that the Lord Chancellor, (then Lord Summers) the Duke of Shrewſbury, the Earl of Romney, the Earl of Oxford, and ſome other perſons, together with Colonel Levingſton and Captain Kidd, (who were to have between them a fifth of the whole undertaking) ſhould raiſe 6000*l.* for the expence of the voyage.

The king was ſo well pleaſed with the affair, and conſidered it as likely to produce ſuch advantages to his ſubjects, that he offered to contribute to it; and therefore in the grant that was made, a tenth part of the goods taken from pirates was reſerved to the uſe of his majeſty; and the reſt was to be divided among the perſons concerned in fitting out Captain Kidd: but when every thing was adjuſted, the king could not conveniently advance the money, ſo that the abovementioned gentlemen were obliged to bear the whole expence.

A commiſſion in the common form was granted to captain Kidd, to take and ſeize pirates, and bring them to juſtice, without any ſpecial clauſe or proviſo whatever. Kidd was acquainted with none of the adventurers but the Earl of Bellamont, who once introduced him to the Earl of Oxford, and another perſon took him to Lord Romney: as for the reſt, he never ſaw them; and ſo little good management or ſecreſy was there in the whole affair, that he had no private inſtructions, only the Earl of Bellamont gave him ſailing orders, in which he was directed to act according to the letter of his commiſſion.

Towards the latter end of the year 1695, Captain Kidd ſailed in the Adventure Gally, for New York, in his paſſage to which he took a French prize. From New York he ſailed to Madeira; then to Bonaviſta, St. Jago and Madagaſcar, from whence he proceeded to cruize at the entrance of the Red Sea; but meeting with no ſucceſs, he ſailed to Calicut, and

took a ſhip of 150 tons burthen. This ſhip he carried to Madagaſcar, from whence he ſailed again; and in about five weeks took the Quedah Merchant, a ſhip of 400 tons, the maſter of which was one Wright, an Engliſhman: he had on board two Dutch mates, and a French gunner, and the crew, conſiſting of about ninety perſons, were Moors.

He carried the Quedah Merchant to St. Mary's, near Madagaſcar, where he ſhared her lading with his crew, taking forty ſhares to himſelf. His crew conſiſting of one hundred and fifty one perſons, ninety of whom left him at this place, and went on board the Mocha Merchant, an Eaſt India ſhip, which had turned pirate.

Here Captain Kidd burnt his own ſhip, the Adventure Galley, and he and his crew went on board the Quedah Merchant, and ſailed for the Weſt Indies. Being denied ſuccour at Anguilla and St. Thomas's, he ſailed to Mona, lying between Porto Rico and Hiſpaniola; and there, by means of one Bolton, he got ſome proviſion from Curaſſau, and purchaſing a ſloop of Bolton, in which he loaded part of his goods, he left the Quedah Merchant, with eighteen men in her, in the care of Bolton.

In this ſloop he touched at ſeveral places, and diſpoſed of a great part of his goods, and at length arrived at Boſton in New England, where he was ſeized by the Earl of Bellamont, together with what goods he had left. It may ſeem ſtrange that Kidd ſhould venture to Boſton, but he either had, or pretended to have a notion, that the Quedah Merchant, being manned by Moors, was a lawful prize; though there was no proof that the commander of her, or his crew, had committed any piracy on the Engliſh, or on any other nation.

The Earl of Bellamont ſent immediate advice to England of his having taken Captain Kidd, and deſired that a ſhip might be ſent for him. This was inſtantly

inſtantly complied with; but the Rocheſter, which was the veſſel ſent for this purpoſe being diſabled, was obliged to return to England, which heightened the clamour that had been already raiſed about this affair.

As there can be no doubt but the ſource of this clamour was a private pique to particular perſons, ſome violent men were induced to put a queſtion in the Houſe of commons, that "The letters patent, "granted to the Earl of Bellamont and others, of "the goods taken from pirates, were diſhonourable "to the king, againſt the law of nations, contrary to "the law and ſtatutes of his realm, an invaſion of "property, and deſtructive to commerce." Though this was carried in the negative, it did not hinder thoſe who ſupported the queſtion, from charging Lord Summers and the Earl of Oxford with countenancing pirates; and to give ſome colour to this ridiculous and improbable charge, it was no ſooner known that the Rocheſter was returned, than it was ſuggeſted that the ſending that ſhip was mere colluſion, and that the Earl of Bellamont was as deep in the affair as the reſt.

Hereupon a motion was made and carried in the Houſe of Commons, to addreſs his majeſty, that "Kidd might not be tried till the next ſeſſions of "Parliament, and that the Earl of Bellamont might "be directed to ſend home all examinations and other "papers relative to the affair:" and this the king very readily promiſed.

It might have been reaſonably ſuppoſed, that the return of Kidd to England, who was ſent home with evidence ſufficient to have hanged a dozen men, would have put a ſtop to the clamour raiſed about this affair: but the contrary proved to be the caſe, notwithſtanding all the precautions uſed by the government to prevent it. Captain Kidd was ſent for and examined at the bar of the houſe of Commons, where

where he made a very indifferent figure, and was, beſides, ſomewhat intoxicated; on which one of the members, who had been amongſt the moſt forward to bring him down, could not help exclaiming in a violen paſſion, "D—n this fellow, I thought he had "been only a knave, but unluckily he proves to be a "fool too."

This ſcheme not having the deſired effect, a report was induſtriouſly propagated, that on the day that Kidd was brought down to the Houſe, he had a conference with the Chancellor, and ſeveral other lords, in the Earl of Hallifax's dining room: but this, though ſupported by the depoſitions of ſeveral infamous people, was, upon examination, found to be a notorious falſhood: yet notwithſtanding this detection, it was reſolved to impeach the Earl of Oxford, chiefly for being an accomplice with Kidd the pirate; and accordingly ſeveral articles were drawn, ſetting forth the ſuppoſed confederacy between them, wherein his lordſhip is not only charged with being the protector of Kidd, the owner of his ſhip, and one who gave him inſtructions for his voyage, but alſo with weakening the Royal Navy in order to ſupply Kidd with ſailors proper for his purpoſe.

Theſe articles where agreed to by the Houſe of Commons, on the 8th of May, 1701, the very day that Kidd was tried for piracy at the Old Bailey, where he was convicted, with ſeveral of his companions, and executed ſoon after: but he could never be prevailed upon to charge any of his owners with having the leaſt concern in, or knowledge of his irregular proceedings.

Hitherto the conduct of Captain Kidd has been conſidered in a general light: let us now take notice of his private fortune, which was agreeable to his deſerts; for being convicted with Gabriel Loft, Hugh Parrott, and Darby Mullins, he was ordered to ſuf-

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fer death at Execution-dock, on the 23d of May, 1701.

Captain William Kidd was born in Scotland, and was about ſixty ſix years of age. The Ordinary ſays, he found him unwilling to acknowledge the crime of which he was convicted, or declare any thing farther than that he had been a great offender, and lived without any due conſideration of the mercies or judgments of God: he ſaid he heartily repented of all his ſins, hoped for ſalvation through the merits of Chriſt, and died in charity with all mankind.

When Kidd was tied up, the rope broke, and he fell to the ground; and being taken up alive, was again tied up to the Gallows; on which the Ordinary deſired leave to ſpeak to him once more, which being granted, he repreſented the great mercies of God in giving him this unexpected reſpite, that ſo he might improve the few remaining moments in perfecting his faith and repentance; and his behaviour was ſuch, that the Ordinary ſays, he left him with greater ſatisfaction that he had done before.

Account of DARBY MULLINS, *who was executed with* Captain Kidd.

DARBY MULLINS was born near Marloughfelt, about ſixteen miles from Londonderry in Ireland, and was about forty years of age. He ſaid he lived for ſome years in his own country, where he followed the plough with his father; but being kidnapped, he was carried to the Weſt-Indies, where he lived with a planter for four years, and then turned waterman; after which he followed ſeveral other employments, in and about Jamaica, and when the great Earthquake happened there, he was preſerved in a miraculous manner. After the earthquake he went

went to Kingſton in Jamaica, where he built himſelf a houſe, and ſold liquors, &c.

He then embarked with his family, in the Charity, Captain Sims, for New York, where he lived for about two years, and then took his paſſage with Captain Slade, for the Madeiras, where he ſtayed three weeks. and then returned to New-York, where he buried his wife; after which he found himſelf unabled to keep houſe any longer, but employed himſelf in carrying wood from place to place, in a boat of his own of twenty tons burthen.

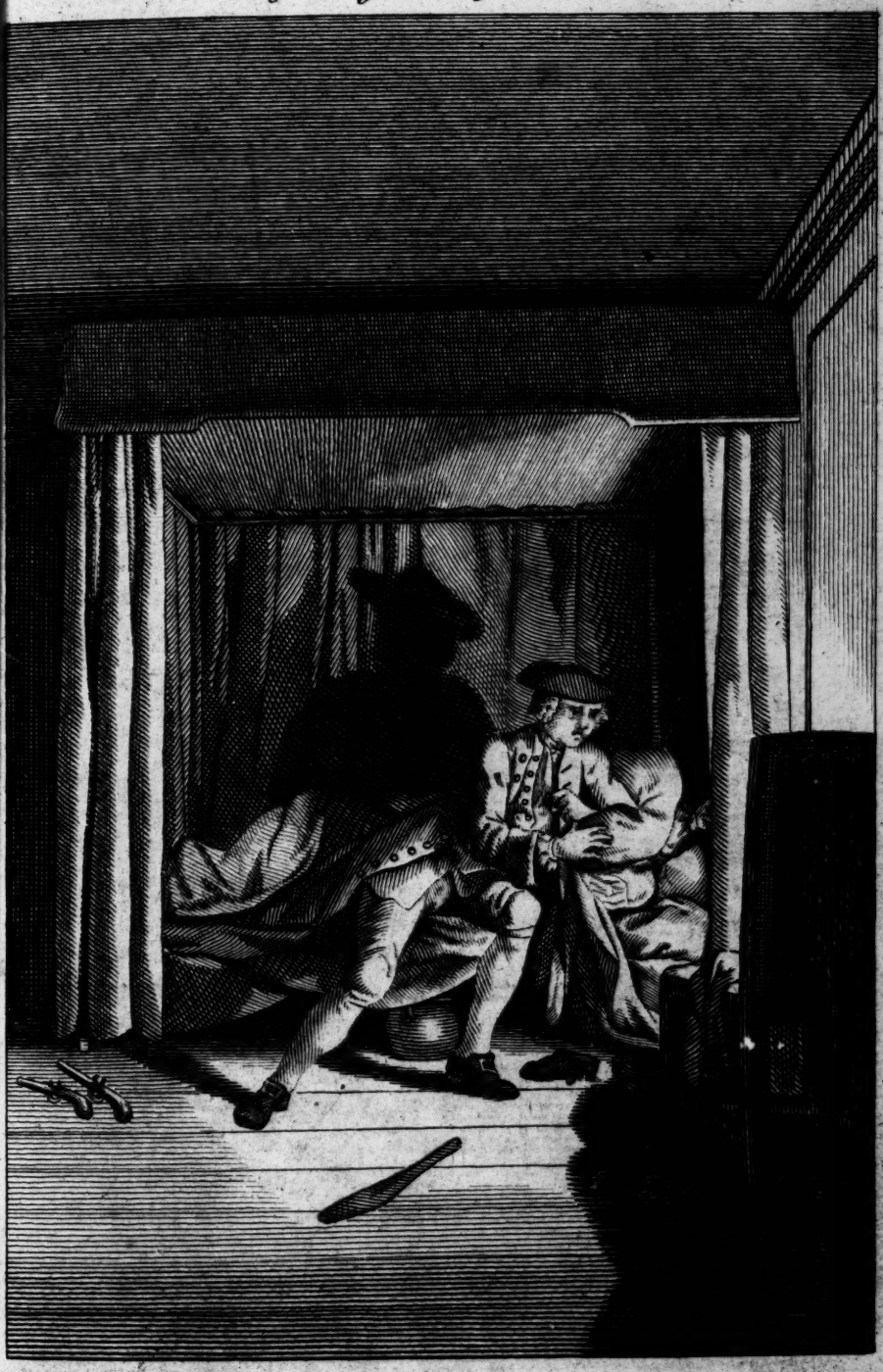
When he left off this employment, he engaged with Kidd, and afterwards with Captain Culliford, to plunder ſhips and goods belonging to the enemies of Chriſtianity, which he was informed was lawful, and believed it: being now convinced that thoſe were the greateſt enemies of Chriſt and his religion, who were guilty of ſuch unwarrantable actions, he heartily begged pardon of God and man, for the offences he had committed, and acknowledged his ſins had deſervedly brought upon him the misfortunes under which he laboured.

This unhappy offender was executed on the 23d of May, 1701.

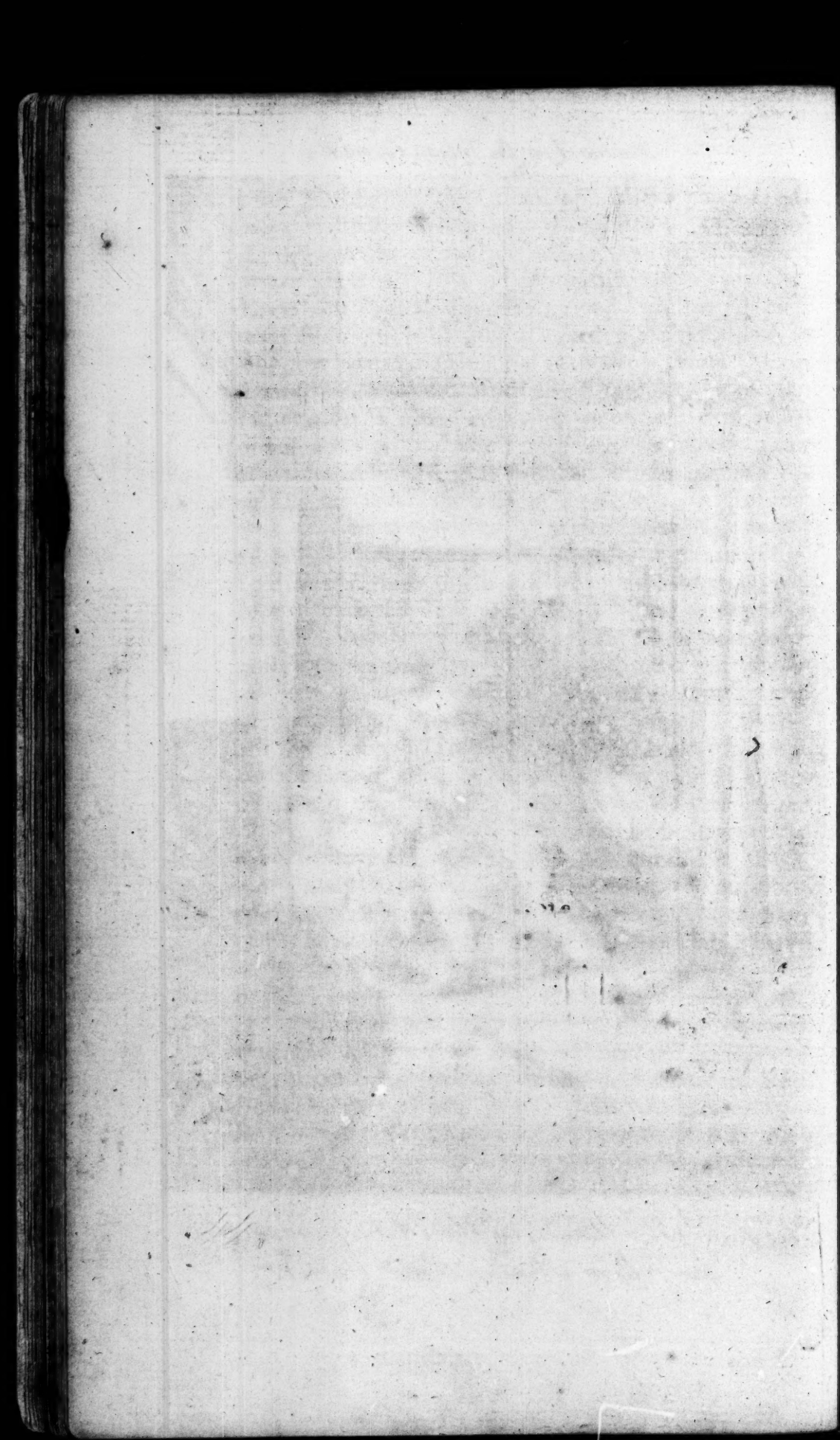
The Trial and Behaviour of HERMAN STRODTMAN, *who murdered his Fellow-'prentice, Robbed his Maſter, and ſet fire to the houſe.*

HERMAN STRODTMAN was indicted at the Old Bailey, on three ſeveral indictments. The firſt was for the murder of Peter Wolter, his fellow ſervant, on the 27th of April, 1701: the ſecond, for breaking open the houſe of Meſſieurs Stein and Dorien, and ſtealing a watch and other things, the

Engraved for the Tyburn Chronicle.



Herman Strodtman, in the Act of murdering his fellow Prentice Peter Wolter.



the property of the ſaid Peter Wolter; and the third for ſtealing divers goods, the property of Herman Frederick Dorien, on the day before mentioned.

From the depoſitions of the witneſſes it appeared, that the priſoner having been diſcharged the ſervice of Meſſieurs Stein and Dorien, for ſome miſdemeanours, about three days before the fact was committed, took lodgings at the Sun Alehouſe in Queen-ſtreet, and told the maſter of the houſe, that his father was a merchant in Saxony, and that he was come to London to learn the Engliſh language, after which he was to go to the Weſt Indies; and that his cloaths were to arrive that evening by the carrier.

About eight o'clock he told the landlord that he was going to drink with ſome of his countrymen, and as he might probably ſtay late, deſired they would go to bed if he did not return by eleven o'clock; which they accordingly did; but the next morning, being Sunday, he came home between five and ſix o'clock, bringing with him a bundle, which he ſaid contained his cloaths, which he had fetched from the carrier's: he carried the bundle up ſtairs, and locked himſelf in the room: theſe cloaths were proved to have belonged to the deceaſed.

Mr. Stein depoſed, that the priſoner came to his houſe on the Saturday to take away his cloaths; but as he was not at leiſure to examine his trunk, he told him he muſt call another time; on which the priſoner (as he thought) went away. That the next morning, between four and five o'clock, the maid came to him and informed him that there was a ſmoke in the houſe, and ſhe ſuſpected that ſome part of it was on fire: on which he began to ſearch, and finding that the ſmoak came through the chinks of the chamber-door where the deceaſed lay, he diſpatched the maid for a pail of water, and entering the chamber, ſaw the cheſt of drawers on fire, which however, by the help of the water, he ſoon extinguiſhed.

That the maid then went to Wolter's bed-ſide, in order to wake him, but ſoon found that he was dead, though warm. Hereupon Mr. Stein immediately ſent for a ſurgeon, who not being able to bleed the deceaſed, took off his night cap, and found a bruize on the left ſide of his head near the eye: but as the ſkin was not broke, the ſurgeon made an inciſion, and found that the ſkull was broken in three pieces.

Mr. Stein then ſearching the cheſt of drawers, diſcovered that the cloaths and watch of the deceaſed were taken away; on which he began to ſuſpect the priſoner, and was determined to have him apprehended, which was eaſily effected the next day, when ſeveral pick-lock keys were found upon him.

The priſoner, when at the bar, pleaded that he went to Camberwell, and from thence to the Red Houſe at Deptford, where he was met by a preſs-gang, who impriſoned him, but ſpeaking nothing but Dutch to them they let him go: that he then went to an alehouſe, where he fell into company with a man who was called John the Painter, and told him that he had left his maſter, who had ſtopped his cloaths, deſiring him to go with him to fetch them away, to which he conſented: that they got privately into the houſe, where they concealed themſelves till one o'clock, and then went into Wolter's chamber: that John the Painter ſtruck the deceaſed with a piece of wood, upon which the priſoner told him that he had done a very ill thing, and he would not be concerned any farther: that John the Painter took the goods, and ſet fire to the houſe, after which they went away together, and being come to his landlord's door, he knocked, and the other gave him the goods.

The improbability of this ſtory was ſo great, that the Jury did not heſitate to bring him in guilty; in conſequence of which, he received ſentence of death; after which he ingenuouſly and fully confeſſed the crime he was guilty of, and hoped that all perſons would

would take warning by him, and watch and pray, leſt they ſhould fall into temptation.

Being told that the dead warrant was brought down to Newgate, he ſaid, " The Lord's will be done. I " am ready to die. I am willing to die. Only I beg " of God, that I may not, as I deſerve, die an eternal " death; and though I die here for my moſt heinous " and enormous crimes, yet I may, for the love of " Chriſt, live eternally with him in Heaven."

All the time that he laid under ſentence, his behaviour was ſuch as became a penitent ſinner; yet ſometimes he ſeemed to be in great deſpair of ſalvation, feeling, as he expreſſed it, that his repentance was not great enough, and therefore he was extremely troubled in his mind, and was afraid that God would not accept him.

This unhappy youth, who was about eighteen years of age, when he came to the place of execution, prayed moſt fervently, ſometimes in Engliſh, and ſometimes in his own language. The following is his confeſſion, which the Ordinary took in writing from his own mouth, and then reading it twice over to him, he ſolemnly declared it to be truth, and ſigned it with his own hand, deſiring that it might be printed.

The Confeſſion of HERMAN STRODTMAN.

IN the year 1683, or a little before, I was born at Revel in Liſland, and had the happineſs to come of a good family; my parents being of ſome account in the world, and alſo a godly and religious people, who took great care of my education.

About the year 1694, my father ſent me to ſchool to Lubeck, where I continued till Michaelmas 1698. From thence I went to Hamburgh, and ſtaid there till I ſet out for England. I arrived at London in March following, and (together with one Peter Wolter, who

came with me to England) was bound apprentice to Mr. Stein and Mr. Dorien, merchants, and partners in London. Peter Wolter and myſelf, having been fellow-travellers, and being now fellow-'prentices, we lived for ſome time very friendly and lovingly together, till about Auguſt laſt, when his ſiſter was married to one of our maſters, Mr. Dorien. Then he began to be ſo proud, and ſo very domineering over me, and abuſive to me, that I could not bear it. We had ſeveral fallings-out, and he did twice beat me, once before the maids in the kitchen, and at another time in the compting-houſe; and often complained, and told tales of me to my maſter, thereby creating me their ill-will; ſo that they kept me cloſe at home, and would not give me the ſame liberty, which my fellow-'prentice and myſelf before had, of ſometimes going abroad for recreation. Upon this account I conceived an implacable hatred againſt him and the devil put it into my heart to be revenged of him at any rate. Firſt I deſigned to do it by poiſon, having to that purpoſe mixed ſome mercury with a certain white powder which he had always in a glaſs in his chamber, and of which he uſed to take a doſe very often for the ſcurvy: but it being then winter-time (I think the latter end of December, or beginning of January) I found he had left off taking his powder; and ſo I might wait long enough before I could ſee the effects of my poiſon, if I ſtaid till he took that powder again. Therefore I thought of another way to diſpatch him, and this was by ſtabbing him. And as I was, or thought myſelf daily abuſed by him, ſo my hatred and ſpirit of revenge grew hotter againſt him every day; inſomuch that now I came to be apprehenſive, that if I continued longer in the houſe, I could not forbear doing him open miſchief, and laying violent hands upon him. Whereupon I deſired one of the maids to beg of my maſters

to

to ſend me to the Weſt Indies; but they reſolving nothing in the matter, and I being in haſt about it, ſhewed myſelf very uneaſy under this uncertainty; and my anger againſt my fellow-'prentice did ſo increaſe, that the Dutch maid took notice of it to me, and gave me very good advice to be meek, patient, and dutiful, which would have been very happy for me if I had taken. But I was under too great temptation to be in any condition of good admonition from friends. The great enemy of my ſoul was now very buſy about me, and would not let me reſt till I had executed this damnable deſign he had put me upon. On Good-Friday morning, my maſter ſending me of an errand, I took from thence opportunity of going to Greenwich, with a deſign to return home on Saturday; but being now unwilling to kill my fellow-'prentice before he had received the ſacrament, which he was to do on Eaſter day, I went to Greenwich, and on the Saturday ſent a letter to my maſters, telling them (what the father of lies had dictated to me) that I was preſſed, and was to go to Chatham, and there to be put on board one of the king's ſhips on Eaſter Monday. Being ſtill at Greenwich, I was met there by a young man who knew me, and at his return to London, told my maſter that he thought I was not preſſed as I pretended. Upon which my maſter Stein went down to Chatham, to know certainly whether it was ſo or not, but could not find that any ſuch young man as myſelf had of late been preſſed there, or brought thither.

On Eaſter day I went to church at Greenwich, both morning and afternoon; but the Lord forgive me, my heart was then very far from being intent on what was good. Towards the evening I came to to town, and lay that night at the Dolphin inn, without Biſhopgate; and the next morning returned to Greenwich, and was there, and at Woolwich, up and down thereabout, till the next Tueſday, when I

came

came to town, and lay in Lombard-ſtreet, and on Wedneſday morning went down again to Greenwich. On Thurſday evening I came to town again, and returned to Greenwich no more. Upon this, I went to my maſters, and told them by word of mouth, what I had writ to them before, namely, that I was preſſed. They ſaid, they could not believe it; for they had made an enquiry into the matter at the place, and found no ſuch things; and were ſo angry with me, that they bid me be gone. Upon which I went away, and took a lodging in Moorfields, and lay there that night and on Friday night; and on Saturday I took other lodgings at the ſign of the Sun, an Ale-houſe in Queen-ſtreet, London. Now I had a key to the fore-door of my maſter's houſe, which I got made for me a long time before Chriſtmas, by that which was my maſters, that I might (unknown to them) go in and out when I pleaſed; intending at firſt no other uſe of it, but to have the liberty of taking my pleaſure abroad, oftener than they would allow. But the Devil at laſt taught me another uſe of this key. For by the help of it I came to my maſter's houſe on Saturday in Eaſter-week, about half an hour paſt eight at night; and being got in, I firſt hid myſelf behind the entry door, upon my hearing a noiſe of ſomebody going up ſtairs. When this was over, as I ſuppoſed the way was clear, I went up one pair of ſtairs firſt; and entered the room where I uſed to lie, next the counting-houſe, I went to the tinder-box, ſtruck fire, and lighted a candle. Then I took my maſters dark lanthern that was there alſo, and went up another pair of ſtairs, and having got into an empty room, adjoining to Peter Wolter's chamber, I ſhut myſelf in there, where I was no ſooner placed but I heard a noiſe, as if ſomebody was coming up. Upon which I put out my candle, and ſome time after fell aſleep. About twelve o'clock being awaked, and ſuppoſing that Peter Wolter and the reſt of the family

mily were a-bed and faſt aſleep, after I had been ſome time hearkening, and perceived all was very quiet in the houſe, I went down again to my room one pair of ſtairs, where the tinder box lay; and having lighted a candle a ſecond time, entered the compting-houſe, and there took out ſeveral notes and bills, and ſome money; I then went up again two pair of ſtairs firſt, carrying with me a certain piece of wood where-with they uſed to beat tobacco, which I found in my chamber. When I was got up ſtairs, I ſprung into Peter Wolter's chamber, and coming to his bed ſide, opened the curtains, and, with my tobacco beater, knocked him on the head, giving four or five blows on the left ſide of it, and another on the right. When I had given him the firſt blow, then my heart failed me; yet being afraid to be diſcovered by the noiſe he made with groaning, I followed cloſe the firſt blow with three or four others, and then had not courage enough to give him any more. Therefore to ſtop his groans, I took his pillow, and laying it on his mouth, preſſed it hard with my elbow, as I ſat on the ſide of his bed; and by this means ſtopt his breath, and ſtifled him. And thus it was I moſt barbarouſly murdered this poor creature, whom I intended (had this failed) to have ſhot to death, having brought with me too piſtols ready charged for that wicked purpoſe. The Lord forgive that ſin!—When I perceived that he was quite dead, I proceeded to ſearch his breeches and cheſt of drawers, and took a note of 20*l.* with ſome money, cut of his pocket, which, with what I had taken out of the compting-houſe, amounted to 8, or 9*l.* Then I packed up ſome of the linen and woollen cloaths, and having made a bundle of them, went down with it one pair of ſtairs, and threw it out of the window, into an uninhabited houſe.

Then I went up ſtairs again, and having cut my candle in two (both pieces being lighted) I ſet one

in

in the cheſt of drawers, and the other on a chair cloſe by the bed-curtains, intended to have burnt the houſe, in order to conceal by this heinous fact, the other two of theft and murder, which I had now moſt barbarouſly committed. Then I went through a window into the houſe where I had flung my bundle, and ſtaying there till about five in the morning. I went away with that bundle to my lodgings in Queen-ſtreet, were I put on clean cloaths, and then went to the Sweeds church in Trinity-lane. There I heard the bill of thanks read which my maſters had put up for their own and their neighbours preſervation; at which my heart ſunk down, and I had a great check of conſcience, and could not forbear ſhedding tears, which I hid (all I could) from an acquaintance of my maſters, who was in the ſame pew with me, and told me that my maſters houſe had like to have been burnt the laſt night, it being ſet on fire by an accident yet unknown; but the miſchief which it might have done, through God's mercy was happily prevented by the Dutch maid, who firſt ſmelt the fire, and ſaw the ſmoak, and thereupon called her maſter, and fetched a pail of water, by which means it was put out.

This he told me as we came out of church, and at parting we appointed to meet again at two o'clock upon the outer walls of the Royal Exchange, in order to go together to the Dutch church in the Savoy. I went to the Exchange accordingly, and waited a while, but he not coming I went alone to Stepney church. After church I walked in the fields towards Mile-end, where I ſaw at a diſtance, two Dutchmen that were hanged in chains. Then I was ſtruck with ſome remorſe and fears, and ſaid to myſelf, "Thou may'ſt come to be one of them, and be made "a like ſpectacle to the world." As I went on I came to Blackwall, and there ſaw another perſon (a Captain of a French pirate) hanged in chains in that place.

place. Then the ſame thoughts again returned upon me, viz, that it might come to my lot to have ſuch a ſhameful end. Thus providence having led me to thoſe diſmal and ghaſtly objects, I came back to my lodging with heavy thoughts, but not at all awakened to repentance; for I was in a ſpiritual ſlumber; ſtill under the power and dominion of the devil, ſo as my heart did not relent at what I had done; but on the contrary, that if I had failed of murdering my fellow'prentice in his bed, I would have deſtroyed him ſome other way; and particularly deſigned to have piſtoled him, as he was going for his maſters letters to the poſt-houſe, or at his going back from thence, as I had alſo once laid in wait under the arch in Auſtin friars to have done it, if he had come out at that time. Being come back from my diſtracted walks to my lodgings at the Sun Ale-houſe, I ſupped and went to bed, after I had ſaid my prayers; but, God knows, I was then in a very unfit condition to pray: but the Lord has been infinitely gracious and merciful to me, giving me a heart, as well as a mouth to pray; for which his glorious name be eternally praiſed.

The next day, being the ſecond Monday after Eaſter, I went in the morning to the White Horſe-inn without Cripplegate, to receive money upon one of thoſe bills I had ſtolen out of my maſters houſe, namely, the 20l. bill; but the man who ſhould have paid it, being gone out, I was deſired to come again about twelve which I did: in the mean time, I went to a Goldſmith that I knew in Lombard-ſtreet, who would have ſent me that morning with ſome money to his ſiſter, who was at boarding-ſchool at Greenwich; but I told him I could not go before the next day, and then I would. Before I came away from him he told me, that a young man (one Green) had been there enquiring after me. Upon which I deſired him to tell that young man, if he

came again, that I would come back to look for him there about one. Then I haſted to the White-horſe again, and found the party, but he told me he had no orders to pay the money upon that bill. With this anſwer I returned to my lodgings, and when I had dined, I went again to the Goldſmith's in Lombard-ſtreet, where I found my maſter Stein with another gentleman, and my countryman Green. My maſter aſked me whether I would go willingly to his houſe, or be carried thither by two porters; I ſaid I would go. So after ſome queſtions about the horrid facts I had committed at his houſe, and my denying of them, I was ſearched, and the bill of 20 l. which was in the deceaſed's pocket, was found upon me. Then he aſked me where I lay; I told him in Moor-fields; we went there to my former lodgings; but the people of the houſe told him I did not lie there now.

By this my maſter finding I was unwilling to let him know where I had lain, or how I had diſpoſed of thoſe things which I had ſtolen out of his houſe, promiſed me, if I would confeſs, no harm ſhould come to me; for he would take care to ſend me preſently beyond ſea. Upon this I freely told him all the truth; where I lay, and where thoſe goods of his were. He ſoon after took coach, and carried me to my lodgings in Queen-ſtreet, where he received the bills, cloaths, money, and all that I had thus ſtolen, and then carried me to Sir Humphry Edwin, who, upon his examination of me, and my own confeſſion of all thoſe facts, did (moſt juſtly, I muſt acknowledge it, and the providence of God in it) commit me to Newgate. This only I will ſay, that had I been tried the firſt ſeſſions after my being there, I would have pleaded guilty, as I was adviſed to do by the Miniſter of Newgate, and others my ſpiritual teachers and good people. But I was taught, by ſome perſons in Newgate, to deny all upon my trial, they framing for me, and induſtriouſly teaching me, the ſtory of

John

John the Painter, and all that ſtuff, which I then al'edged at the bar for my defence: all which I now confeſs to be utterly falſe in every part of it, I not knowing any ſuch perſon as John the Painter in the world; and none being privy to or aiding me in thoſe helliſh crimes of mine, but the devil who had put me upon them. And this I do not only confeſs with ſincerity, but heartily repent of, and with the greateſt ſorrow and humility beg God's pardon for my having endeavoured, with preſumptuous lies, to conceal what God would have brought to light, and openly puniſh me for in this world, that I might (I hope) avoid eternal puniſhment in the next. I therefore give him the greateſt thanks I am capable of, for the time and opportunity, and grace he has given me to repent, and to be reconciled to him, through the blood of my Saviour Jeſus Chriſt: and I earneſtly pray him to bleſs all thoſe who have been inſtrumental to my apprehenſion and condemnation, as well as of my converſion; to bleſs the King with a long life, and proſperous reign upon earth, and to give him at laſt the immortal crown of glory: to bleſs all my judges, whoſe juſtice to me I again acknowledge, and my unjuſt denial to them, of the facts I ſtood charged with before them, I humbly aſk their pardon for. And I pray God in my heart, to remember his mercy to my poor father if yet alive) and my ſiſters and brothers, with all the reſt of my friends and relations: to bleſs and proſper my maſters and their family; to pardon all my enemies (if I have any) and pour down his bleſſings upon all good people of God; upon his church, theſe nations, and the whole world; and to have infinite mercy upon my ſinful ſoul.

This I implore on the bended knees of my heart, overwhelmed with grief, and bathed in tears of a ſincere repentance; acknowledging that if God was no more merciful to me than I was to that

poor creature whom I barbarouſly murdered, I ſhould be undone to all eternity. But he is infinitely good and gracious, who will not ſuffer my ſoul to periſh. Therefore I will magnify him as long as I live; and within a few hours, ſing with the bleſſed ſaints above, the joyful ſong of deliverance and of praiſe, and hallelujah to him my heavenly Father, and to my dear Redeemer, for evermore. Amen and Amen.

Newgate, June 17, 1701. HERMAN STRODTMAN.

He was executed at Tyburn on the 18th of June, 1701.

The Trial and Confeſſion of JOHN PETER DRAMATTI, *who was executed for the Murder of his Wife.*

JOHN PETER DRAMATTI was indicted at the Old Bailey in the month of June, 1703, for the murder of Frances, his wife, near Bloody-Bridge, Chelſea.

In the courſe of the evidence it appeared, that the priſoner, who lived with Lord Haverſham at Kenſington, coming home bloody on the night that the murder was committed, and being queſtioned by his lordſhip and the family, with regard to his appearance, ſaid that he had met two men in the Park, who attempted to rob him, and that in defending himſelf he had broke one of their heads.

With this anſwer they were ſatisfied for the preſent; but ſome of the ſervants hearing a paper cried about the next day, giving an account of a murder committed

committed near Bloody-Bridge, told his lordſhip that they ſuſpected Dramatti had murdered his wife, as they had heard her complain of ill-uſage when ſhe was at the houſe, and they had obſerved when he came home the preceeding evening, that his ſword was broke, the hilt of it bruiſed, and his cane ſhattered.

Hereupon his lordſhip, in order to employ Dramatti, and to prevent his having any ſuſpicion, ordered him to get the coach ready, and in the mean time ſent for a conſtable, who on ſearching the priſoner, found a woman's cap in his coat pocket. As Dramatti was in a coach on his way to London, in order to be taken before a juſtice, he confeſſed to the conſtable that he had murdered his wife; and being aſked his reaſon for ſo doing, anſwered, becauſe ſhe was a wicked woman, and had cheated him into marriage by telling him that ſhe was of the blood-royal of France, and would maintain him without working, inſtead of which he was obliged to work to ſupport her.

It was alſo depoſed, that after the murder was committed, the priſoner went into lord Haverſham's chamber, late at night, after his lordſhip was in bed in order as it was ſuppoſed, to ſteal ſome gold that was there, and then make his eſcape: and that his lordſhip aſked who it was, and what was his buſineſs, the priſoner pretended he was come there for ſomething that he wanted.

The priſoner having nothing to ſay in his defence, but that his wife followed him, and provoked him to the murder, the jury found him guilty of the indictment, and he received ſentence of death.

The deceaſed was found murdered in a ditch between Hide-park and Chelſea, lying upon her belly, and there was a track of blood for about twenty yards from the place, where a piece of a ſword was found ſticking in the bank, which fitted the piece in the poſſeſſion of the priſoner. The woman had

twenty-one

twenty-one wounds in her head and neck, one of which went into the wind-pipe, and one behind the ear, which went into her mouth, beſides many others in different parts of the body.

Abſtract of the Ordinary's Account of JOHN PETER DRAMATTI.

THIS offender was about thirty years of Age, and born at Saverdun, in the county of Foix, in the province of Languedoc in France, of honeſt and religious parents, who educated him in the Proteſtant Religion.

When he was about one and twenty years of age he left his own country, on account of the perſecution there, and went to Geneva, and from thence to Germany, where he was a horſe-grenadier, in the ſervice of the Elector of Brandenburgh, afterwards King of Pruſſia. Having been in that ſtation about a year, he came over to England, and entered into the ſervice of Lord Haverſham, with whom he remained about twelve months, and then entered as a ſoldier in the regiment of Colonel De la Meloniere; and having made two campaigns in Flanders, the regiment was ordered into Ireland, where it was broke, in conſequence of which he was diſcharged.

Soon after this he became acquainted with a widow, between fifty and ſixty years of age, who pretending ſhe was a great fortune, and allied to the royal family of France, he ſoon married her, on account of her ſuppoſed wealth and rank, and her underſtanding Engliſh and Iriſh, thinking it prudent to have a wife who could ſpeak the languages of the country in which he intended to ſettle.

Soon after his marriage, he found he had been impoſed upon, for his wife had no fortune at all; on which he took a ſmall houſe and a piece of ground, about ten miles from Cork, intending to turn husbandman;

bandman; but being totally unacquainted with agriculture, he found himſelf unable to get a living that way, and therefore went to Cork, where he worked at his own trade, which was that of a ſkinner. After ſtaying about a year in that city, he came over to England, and offering his ſervice to his old maſter, was accepted, and continued with his lordſhip till the time of his committing the murder, for which he ſuffered.

With regard to the occaſion of the murder, he ſaid, that his wife being very uneaſy at living from him, would have had him take her to live with him at Lord Haverſham's, which he refuſed to do, ſaying his lordſhip knew nothing of their marriage. She would then have perſuaded him to leave his place, which he alſo refuſed, not only becauſe he was much attached to his lordſhip's ſervice from principles of gratitude, but becauſe he knew not ſo well how to provide for himſelf in any other ſtation.

Hereupon his wife began to ſhew ſigns of jealouſy, and either had, or pretended to have a notion that he had placed his affections on ſome other woman; and her jealouſy was not a little increaſed by the following circumſtance. About Chriſtmas preceeding the murder, Dramatti was ſeized with a fever, and during his illneſs, had every neceſſary care taken of him by order of his noble maſter. His wife at this time paying him a viſit, begged him to leave his ſervice, which he refuſed; and a ſervant maid who had brought him ſome water-gruel, being with him in his chamber, the wife immediately ſuſpected that girl to be her rival, and thereupon repeated her entreaties that he would leave his ſervice, which he abſolutely refuſed, telling her that he muſt be a madman indeed to leave a place in which he was ſo well provided for, and ſo kindly treated, to go and ſtarve with her.

When

When he was recovered of his indiſpoſition, he viſited his wife occaſionally at her lodgings, but his ſervice would not permit him to make thoſe viſits ſo long or ſo frequent as ſhe deſired; and when his lord took lodgings at Kenſington, Dramatti was ſo hurried in removing, that he had no opportunity to let his wife know it before they went; and when by other means ſhe learned that they were removed, ſhe came in a great paſſion to Kenſington, to reproach him with his unkindneſs to her, though he declared he always maintained her as well as he was able, and as a proof of it had given her three guineas not long before the murder.

After many debates and quarrels between them, it happened on the 9th of June, that Dramatti being ſent to London, and his buſineſs lying near Soho, he called on his wife, who lodged in that neighbourhood, and having been with her ſome time, he was about to take his leave, but ſhe laid hold of him and wanted to detain him; but he got from her, and went towards Charing-Croſs, to which place ſhe followed him; but at length ſhe ſeemed to yield to his perſuaſions that ſhe would go home, as he told her he was going to his lord in Spring-Gardens; but inſtead of going home, ſhe went and waited for him at, or near Hyde-Park-gate, where he found her on his return to Kenſington in the evening.

She ſtopt him at the Park-gate, and inſiſted that he ſhould go no further unleſs he took her with him; and after many words had paſſed between them, ſhe ſaid ſhe would go in ſpite of his teeth, or elſe ſhe would have his life, or elſe he ſhould have hers. He now left her and went towards Chelſea: but ſhe followed him till they came near Bloody-Bridge, where the quarrel being vehemently renewed, ſhe ſeized his neckcloth, and would have ſtrangled him; whereupon he beat her moſt unmercifully both with his cane and ſword, which latter he imagined ſhe broke with her

her hands, as ſhe was a very ſtrong woman, and able to have conquered him had he been unarmed. The Ordinary aſked him if he was in liquor at the time, but he anſwered that he never was drunk in his life.

When he had given her ſo many wounds that he thought it impoſſible for her to recover, his paſſion greatly abated, and he fell on his knees, aſking pardon of God for the great ſin he had committed. He then haſtened to Kenſington, and told the ſtory of his being attacked in the Park, as we have already mentioned.

The next morning he went to London on buſineſs, where he heard the news of the murder cried about the ſtreets before it was known at Kenſington: but though he expected every moment to be laid hold of, yet he had no notion of making his eſcape. Having diſpatched his buſineſs in London, he returned to Kenſington, where he was apprehended, as already mentioned, and committed to Newgate.

For ſome time after the Ordinary viſited Dramatti, he uſed to attempt to juſtify what he had done, ſaying that his wife was a very bad woman, and of a reſtleſs diſpoſition: but at length he became ſenſible of the enormity of his crime, and heartily begged pardon of God for the commiſſion of it.

He abſolutely denied being guilty of any intention of robbing his lord, ſaying that his buſineſs in the chamber was to take away a ſilver tumbler, which he had forgot before, that he might have it ready againſt the morning, to take in aſſes milk for his Lord.

Some time after Dramatti had been a priſoner in Newgate, he was perſuaded by one Yoward, then a priſoner there, to make his eſcape in woman's cloaths; but when he was on the point of executing this enterprize, Yoward diſcovered and betrayed him.

This unhappy criminal profeſſed to die in charity with all mankind, and beſought moſt earneſtly the forgiveneſs of God, whom he had ſo heinouſly offend-

ed. He hoped that all men, inſtead of imitating his crime, would abhor and deteſt it, and take ſuch a warning by his fall, as to avoid both the ſin and the puniſhment.

He was executed at Tyburn, on the 21ſt of July, 1703.

The Trial and Behaviour of THOMAS COOK, *who was executed for the Murder of* JOHN COOPER, *a Conſtable, in May-Fair.*

AT the ſeſſions held at the Old Bailey, on the 22d of May, 1703, *Thomas Cook* was indicted for the murder of John Cooper, a conſtable, by giving him a wound with a rapier, in his body, near the left pap, on the 12th of May, 1702; of which wound he languiſhed till the 16th of the ſame month, and then died.

Some of the evidences ſwore that, in purſuance of her Majeſty's proclamation for the ſuppreſſing of vice and immorality, the juſtices iſſued their warrant to the high conſtable, and he ſent his ſummons to the other conſtables, who accordingly aſſembled, and going to May Fair, a great diſturbance aroſe; and ſome of the conſtables having ſeized the priſoner's wife, while he was at his own houſe, it came to his knowledge, and he ſwore that he would have the blood of ſome of them before he left the fair: hereupon he ſhut up his houſe, and going into the fair, he, with a drawn ſword in his hand, and a mob of about thirty ſoldiers, and other perſons, got over a bank, and ſtood in defiance of the conſtables, huzzaing, and throwing brickbats at them: they then purſued

purſued the conſtables to the ſheep-pens, and Mr. Cooper being behind the reſt, they overtook him, and cut and wounded him ſo that he died.

They depoſed that the priſoner, had, after the ſword, a conſtable's ſtaff in his hand, and that the mob, overpowering the conſtables, had an opportunity of eſcaping; but that the conſtables having information that the priſoner was the perſon who killed Cooper, went in ſearch of him, and three days afterwards met him in their way to the fair, when he drew his ſword, made ſeveral paſſes at them, waved his ſword over his head, ran into the fair, and made his eſcape.

The priſoner now went over to Ireland; and an evidence depoſed, that while he was there, talking in a public houſe, with a perſon who taught the uſe of the ſmall ſword, he ſwore very profanely; upon which the publican cenſured him, and told him there were perſons in the houſe who would take him up for it; whereupon the priſoner ſaid, "Are there any of the "informing dogs in Ireland?—we in London drive "them; for at a fair called May-fair, there was "a noiſe which I went out to ſee: there were ſix "ſoldiers and myſelf; the conſtables played their "parts with their ſtaves, and I played mine; and "when the man dropped, I wiped my ſword, put it "up, and went away."

Cook having ſeveral times told of this exploit in a boaſting manner, was at length apprehended and ſent to Cheſter, from whence he was removed, by *Habeas Corpus*, to London, and brought to his trial.

The evidence againſt him being finiſhed, he in his defence ſaid, that at the time of the murder, he was diſabled, having fought a prize on the 29th of April preceeding, in which he was ſo much wounded, that it was extremely unlikely he ſhould be concerned in ſuch an affair. With regard to the woman whom they called his wife, he diſowned her, ſaying ſhe was

only his bar-keeper, and that as ſoon as ſhe returned, ſhe ſhut up his houſe, and went to another. Notwithſtanding all he could ſay, as the evidences ſwore poſitively that he was the man who committed the murder, the Jury brought him in guilty.

Thomas Cook, the prize-fighter, who was generally known by the name of the Glouceſter Butcher, ſaid he was about thirty-five years of age, and born of honeſt parents, in the city of Glouceſter; from whence he came up to London, where, being bound apprentice to a Barber-Surgeon, he ſerved two years, and then running away, went into the ſervice of Mr. Needham, but did not ſtay long with him, for his mother ſent for him down into the country, telling him that a gentleman's ſervice was no inheritance.

He now ſet up the trade of a butcher in Glouceſter, after which he kept an inn, and then turned grazier, being very much unſettled in his mind what employment to follow. At length he turned prize-fighter, a profeſſion which he ſaid the pride of his heart led him to, as he apprehended that there was not in the world a more courageous man than himſelf.

As to the crime for which he was to die, he poſitively denied it; ſaying that he had no ſword in his hand on the day the conſtable was killed, nor was in the company of thoſe who killed him. While under ſentence of death he gave ſigns of the utmoſt contrition for the ſins of his paſt life, and acknowledged that upon the whole he had been very wicked, that he had been an adulterer, a profane ſwearer, a drunkard, and a ſheep-ſtealer. Having, at his own deſire, received the ſacrament, on Wedneſday the 21ſt of July, he was carried from Newgate towards Tyburn, with the reſt of the criminals who were then to ſuffer: but when he was got as far as Bloomſbury, there came a reprieve for him till the Friday following; upon which he was carried back to Newgate, and when the

Ordinary

Ordinary returned from attending the execution of the other priſoners, he went to viſit him in the condemn'd-hold, where he found him at prayers, in which he appeared to be very earneſt and devout. He told the Ordinary that he was not affected with this temporal life, and that he would have been well contented to have died with his fellow-priſoners; but as it happened otherwiſe, he was very deſirous of having attended them to the place of execution, that he might have joined in prayer with them; but this the officers would not permit.

His friends now flocked to Newgate to viſit him, and would have made merry with him on his reprieve; but he would not indulge the leaſt levity, and would accept of no company but ſuch as could aſſiſt him in his devotions, being earneſtly deſirous of improving his time to the purpoſe of his eternal ſalvation.

On the Friday morning a farther reprieve was brought till Wedneſday, the 11th of Auguſt, on which day he was attended to the place of execution by the Ordinary, where he read the following ſpeech and prayer, and ſung the hymn.

His Speech, Prayer, and Verſes.

Gentlemen, I thought it convenient to give you an account of my life and converſation, which is as followeth.

" Gentlemen,

" I Was a young man that was well educated, and
" well brought up, and come of very honeſt pa-
" rents, and about the age of 15, was put apprentice
" to a barber-ſurgeon in London; and after the ſerv-
" ing of two Years, or thereabouts, I ran away
" from my trade, and afterwards lived with Eſquire
" Needham, who was page of hononur to the late
" King

" King William; but my dear mother told me, that " a gentleman's ſervice was no inheritance, and ſo " deſired me to come home and ſettle. Accordingly " I went to Glouceſter, and there ſet up the trade of " a butcher, which was the calling of my forefathers; " and I followed that trade for ſeveral years, and ſerv- " ed maſter of the company of butchers, in the ſaid " city of Glouceſter. But being too much embolden- " ed with courage, I thought no man a better man " than myſelf; I took up the ſword, and followed the " ſport of prize-playing for ſeveral years, which prac- " tice has proved prejudicial to me. And I deſire all " young men to take warning by me, and never med- " dle with any ſuch idle practice; but let their honeſt " calling be whatever it will, mind that they ſerve God, " and keep good company. For here I ſhall give " you an account of the ill conſequence and tendency " of ſuch idle and wicked practices. Firſt, it is diſ- " pleaſing to God, to have his image ſcarified after ſuch " a manner. Secondly, It brings a man to a cor- " reſpondence with ill company, and ill company " takes a man off from his duty of ſerving God, and " makes him to follow thoſe vices that I have been " guilty of myſelf; as, breaking the Sabbath, ſwear- " ing, curſing, drunkenneſs, lewdneſs, and other like " debaucheries. But as to what I die for, I do de- " clare before God, and all the world, I die innocent. " There was one witneſs depoſed, on oath, that he " ſaw me lock up my doors, and go down towards the " fair with a ſword in my hand: and there was one " Jonathan Sheppard declared upon oath, that he " ſaw me in the middle of the mob, with a naked " ſword in my hand: and there was a beadle declar- " ed alſo upon oath, that he ſaw me with a ſword in " my hand, bloody: and there was one Mr. Deering, " who, in like manner, declared upon oath, that I " told him in Ireland, that when the conſtable dropt, " I wip'd my ſword, put it up, and went away, which

" I declare,

" I declare, I never ſaid, nor ſpoke any ſuch words " to him in all my life. And furthermore I do de- " clare, as I expect mercy from God, I had no ſword " in my hand in the fair that day, and did not ſo much " as lift up my hand, either for, or againſt any perſon, " when the conſtable was kill'd.

" Gentlemen, I muſt deſire you not to reflect on " Mr. Gorman, for he is very innocent of what they " have charged him with, concerning me. But ſince " it is my misfortune to die this ſhameful death, I " muſt look upon it as an affliction from God Al- " mighty, for my worldly ſins. As for thoſe falſe " witneſſes that ſwore my life away, I do freely forgive " them with all my ſpirit; and I hope God will for- " give them alſo. And, as for all whom I ever " wrong'd in my life, I do hope they will freely for- " give me, as I do freely forgive all the world. So gen- " tlemen, I bid you an eternal farewell, and ſhall now " conclude with this my prayer."

His Prayer.

" O Almighty God! I humbly beſeech thee to bleſs " our moſt gracious ſovereign lady Queen Anne; " and guide her by thy good ſpirit, that ſhe may do " always that which is righteous in thy ſight. And I " beſeech thee, O Heavenly Father, that thou wouldſt " be pleas'd to give her that ſight; as that ſhe may " foreſee her enemies; and arm her ſo with thy de- " fence, that ſhe may not fear the power of any ad- " verſaries: and I beſeech thee, O Lord! give unto " her a long and happy reign, and after this life, a " crown of glory with thee in thy Heavenly King- " dom. And I likewiſe beſeech thee, O Lord! to " bleſs thy Holy Catholic Church, and eſpecially that " pureſt part of it, the Church of England, and give " unto it the ſame honour, power, and glory, as it " had heretofore; and let not thoſe who diſſent from it,

" ever

" ever have that power to trample it down: And " furthermore I beg of thee, O Lord! that if any of " thoſe diſſenters ſhould in any wiſe ever riſe in re- " bellion againſt our gracious Queen and Church, " that thou wouldſt abate their pride, aſſwage their " malice, and confound their devices: and ſo let the " Church of England remain and flouriſh unto the " world's end. And finally, I beſeech thee, O Lord! " to pour down thy bleſſing upon my whole family, " and enable them to bear my death, (as by thy " grace I do) with patience and reſignation; and grant " that this my death may be a joy and comfort to " them, and a warning to the world. And Lord " Jeſus! I beſeech thee to forgive all my enemies, " eſpecially thoſe who ſwore falſe againſt me; for " thou knoweſt, O Lord! I die innocent of that bloody " fact, for which I am condemned. But my ſins " have provok'd thee to deliver me up a prey to the " enemy. Lord! I beſeech thee, that this my ſhame- " ful death may, through the merits of the blood " of Chriſt, and Sanctification of thy grace, make an " attonement to thee for my worldly ſins; that as I " die here, ſo I may live eternally with thee hereafter. " And now I come again to beg mercy for myſelf, " intreating thee, O Heavenly Father! to have mercy " on my poor ſoul, for thy dear Son's ſake, my Lord " and Saviour JESUS CHRIST: into whoſe hands I " commend my ſpirit. Amen.

His Verſes in Anſwer to the Bell-Man's, the Night before the Execution.

THOU art the bell-man for this night,
Who com'ſt to let me know,
That on to-morrow I'm to die,
And be a public ſhow.

What

What follows was ſung by him at the Tree.

I Hope my death will warning give,
To all that here attend,
And by my ſad example may,
Your lives learn to amend.
Amend your lives, young men, I pray,
And do no more offend,
That great and mighty God above,
Whoſe kingdom has no end.
He's a God that merciful is,
To all that do believe,
In Jeſus Chriſt his only ſon,
Who will our ſins forgive.
Pray do repent of all your ſins,
Before it be too late;
And beg the help of God above,
For Jeſus Chriſt his ſake.
Who ſuffer'd death upon the croſs,
To make a recompence,
To all that do in him believe,
Before he did go hence.
In him I do put all my truſt,
Whoſe mercy is full ſure,
Hoping my ſoul with him ſhall dwell,
Henceforth for evermore. Amen.

" This I writ as my laſt farewell;
" Hoping my ſoul with Chriſt ſhall dwell." Amen.

THOMAS COOK.

He was executed at Tyburn on Wedneſday the 11th of Auguſt, 1703.

The Trial and Behaviour of JOHN SMITH, *who was condemned for Highway-robbery.*

IN the month of November, 1704, *John Smith* was indicted at the Old Bailey, upon four indictments, the firſt was for ſtopping Thomas Woodcock, Eſq. on the highway, and taking from him a ſilver watch, with a chain, a cornelian ſeal ſet in gold, and ten ſhillings in money, on the 16th of November. The ſecond was for robbing Elizabeth the wife of Thomas Woodcock, Eſq. on the 6th of November, taking from her four guineas, two keys, and a ſilk purſe: the third was for robbing Ann Montague, at the ſame time, of a ſilk purſe and three ſhillings in money, and the fourth indictment was for robbing William Birch, on the highway, of a grey mare, on the 29th of October.

Mr. Woodcock depoſed, that as himſelf, his lady, and Mrs. Montague, were riding over Finchley-common, in his coach, a man with a maſk on came to the coach-ſide, and demanded his money, which he gave him, together with his watch and ring.

In ſupport of the fourth indictment, Mr. Birch depoſed, that as he was riding between Eaton and London, at a place called Bays-water, near Paddington, he ſaw two men on foot, one of whom laid hold of his bridle and made him diſmount, and then they both got on the mare, and rode away with her, and he firmly believed that Smith was the perſon who laid hold of the bridle, but he could not abſolutely ſwear that the mare taken when Smith was apprehended, was the ſame which was ſtolen from him.

The next evidence ſwore, that about nine o'clock in the morning he ſaw Smith upon Finchley common, near

near a place called Wood-houſe, and obſerved him riding backwards and forwards on the common till twelve o'clock, when he rode up to a coach, but permitted it to paſs: that this evidence thinking he was a highwayman, called one of his neighbours, and then they ſaw another coach advancing, which the priſoner ſtopped, and robbed the perſons that were in it, and then rode away; but being purſued, and finding himſelf likely to be taken, he left his horſe tied to a buſh, and ran into a wood.

A gentleman depoſed, that as himſelf and his ſervant were riding along, and hearing that a robbery had been committed, they purſued the thief till he took refuge in a wood called Cole-fall; and that he directed his ſervant to ride into the wood, while he rode round it, to obſerve if the priſoner attempted to make his eſcape out of it: that in their ſearch they found a grey mare tied to a buſh, ſoon after which ſeven or eight people came to their aſſiſtance, and at length a huntſman eſpied the priſoner lying under a tree, and advanced towards him with a blunderbuſs, whereupon Smith deſired him not to ſhoot him, and immediately ſhot off his piſtols into the air, and two men laying hold of him, he was conducted to Muzzle-hill, where being examined, there was found upon him the watch and purſes mentioned in the indictment, a maſk, ſome powder and ſhot, and ſome money; and that the priſoner then ſaid, he would have made his eſcape but that the mare was a jade.

The priſoner, on his trial, denied the fact, ſaying, that as he was on his journey towards Yorkſhire, upon a bay gelding, he met two men near Coney-hatch, who took his gelding from him, and told him that if he went to ſuch a place he would find a mare tied to a buſh; and as he was going away, one of them threw him a hankerchief, in which were the purſes and watch that were found upon him when

he was taken: but this ſtory not being credited, the jury found him guilty, and he received ſentence of death.

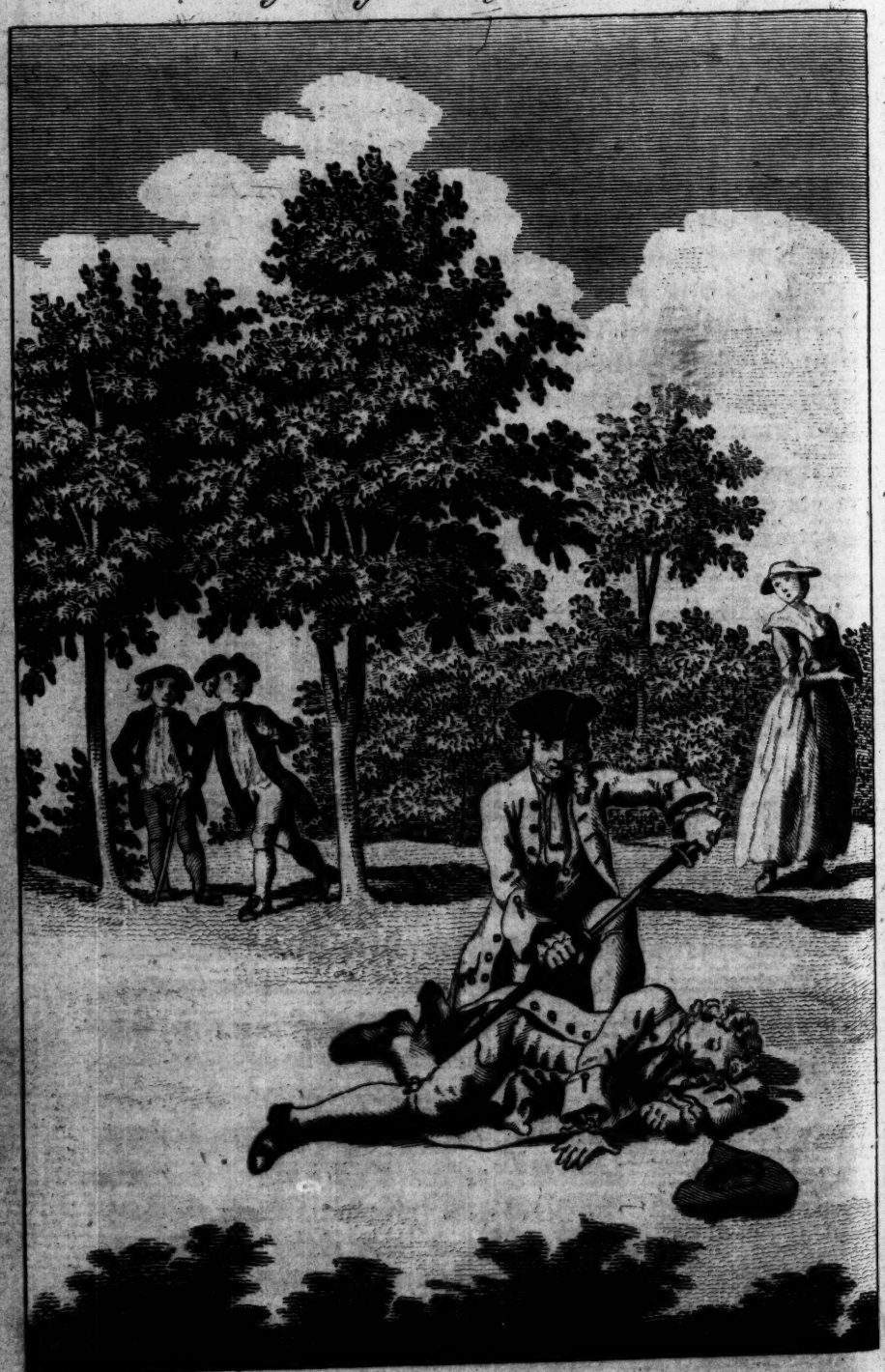
John Smith was about twenty three years of age, born at Winchcomb, within ten miles of Glouceſter; he was a peruke-maker by trade, and carefully educated by his parents, to whoſe kindneſs he made but an ungrateful return, being very diſobedient to them, and falling into many extravagancies and debaucheries. He ſaid, that the ill habits he had contracted in his younger years, were greatly confirmed by his being, though but a little while, at ſea, and that when he returned from thence, he became acquainted with a peruke-maker in Chancery-Lane, who propoſed to him to go and rob on the highway; which being ſoon agreed on, they went out with that intent on Sunday the 29th of October; and as they were waiting about Paddington, for a booty, Smith reſted himſelf on a ſtile over againſt the gallows at Tyburn, at the ſight of which his heart miſgave him, and he could not help thinking, that one time or other he ſhould end his days near the place where he was beginning to rob; which he mentioned to his companion, and would have perſuaded him to go home; which the other refuſed to do, and encouraged him, ſaying, "What matters it, Jack? it is but hang-"ing, if thou ſhould'ſt come to that." So they proceeded on their deſign, and ſtole Mr. Birch's mare, which was the firſt robbery they committed.

On the following day, Smith ſet out alone upon the mare, and robbed three ſtage coaches near Epping-Foreſt. On Wedneſday the firſt of November, he robbed three other ſtage-coaches and a hackney-coach on Hounſlow-Heath; and on the Saturday following he robbed three ſtage-coaches more near St. Alban's; in all which robberies he did not obtain more than twenty pounds; and laſtly, he robbed Mr. Woodcock's

coach



Engrav'd for the Tyburn Chronicle.



A View of the murder of Mr. Robt. Woodcocks by Mr. Edwd. Jefferies, in the Fields near Chelsea.

coach on Finchley-common, on Monday the 6th of November, for which he was apprehended.

Thus was this offender cut off in the very beginning of his new and dangerous courſe of life; and we ſee how ſoon his fears of ſuffering near the place where he committed the firſt robbery were verified. From hence let the young and the thoughtleſs be taught, to avoid the firſt attacks of vice, to ſhun all appearance of evil, and ſteadily to perſevere, in ſpight of all temptations, in their duty towards God and man.

This unhappy young man ended his life with ſerious exhortations to others to take warning by his example, and avoid the commiſſion of thoſe crimes which had brought him to his fatal end. He died declaring his perfect charity with all mankind, and calling on the God of mercy to receive his ſinful ſoul.

He was executed at Tyburn on the 20th of December, 1704.

The Trial and Behaviour of EDWARD JEFFERIS, *who was executed for the Murder of* ROBERT WOODCOCK; *and of* ELIZABETH TORSHELL, *who was tried for aiding and abetting him, and acquitted.*

ON the 30th of September, 1705, *Edward Jefferis* was indicted at the Old Bailey, for the murder of Robert Woodcock, gentleman, on the 26th of July, by giving him one wound with a rapier, of the depth of ſix inches, of which he inſtantly died: and Elizabeth Torſhell was indicted for being preſent, aiding and abetting in the ſaid murder.

In the courſe of the evidence it appeared, that Mr. Woodcock and Mr. Jefferies had dined together between

tween one and two o'clock, on the day the deceaſed was killed, at the Blue-poſts the lower end, of Pall-mall: that they parted after dinner, when Jefferis went to Mrs. Torſhell's lodgings in St. Martin's-Lane, and was ſeen to go out with her towards the Park, and came back about ſix in the evening: that when Mrs. Torſhell was told that one of the gentlemen that was with her lay dead in St. Martin's Church-yard, ſhe cried out, "Death and fury! is it he?" that when ſhe ſaw him ſhe ſaid, "O Lord! it is he, don't "make any diſturbance;" and that when the officers went to her lodgings to apprehend her, they found the door locked, but one of them threatening to break it open, ſhe let him in, and he found three rings and a purſe in one of the drawers, which were proved to have belonged to Mr. Woodcock.

A boy declared, that as he and another boy were playing in the fields near Chelſea, about four o'clock in the afternoon, they ſaw Mr. Jefferis and Mr. Woodcock walking together, and talking as if quarrelling: that Jefferis ſaid to Woodcock, "G—d damn "you, you lie;" to which Woodcock replied, "pray "don't give me the lie too;" that ſoon after this Jefferis drew his ſword, and before Woodcock, who was left-handed, could draw his, he received a wound, and fell down immediately: that then Jefferis drew Woodcock's ſword, and taking ſome of his blood, rubbed it thereon; but that not being ſufficient, he ſqueezed the wound to get out more, and having made the ſword bloody, he put it under him, that it might be ſuppoſed he killed himſelf: this being done, he took ſomething out of Woodcock's pocket, and then run towards Chelſea: that this lad and his playfellow followed him; that as he run along he broke his own ſword, and put it under his coat; that they ſtill following him, he turned about and ſaid he would knock their brains out if they followed him any farther; whereupon they went back: he likewiſe declared,

clared, that during this time, Mrs. Torſhell was walking by the Park wall, and that after Jefferis had killed Woodcock, ſhe came into the field and was advancing towards the body, but ſeeing him and his companion there, ſhe ſeemed to turn back. The other boy confirmed this evidence.

By the depoſitions of other witneſſes it appeared, that after the murder was committed, viz. about half an hour after four o'clock, Mr. Jefferis and Mrs. Torſhell met at the Cheſhire-cheeſe at Chelſea, and ſtaid there till between five and ſix.

In his defence Mr. Jefferis alledged, that he was at another place at the time that the murder was committed, and called ſeveral witneſſes to prove it; but none of them agreeing as to the time, the jury brought him in guilty. Mrs. Torſhell was acquitted.

The Ordinary's Account of EDWARD JEFFERIS, *Gentleman.*

ON Wedneſday the 19th of September, Mr. Edward Jefferis, as he was proceeding towards the place of execution, when about St. Giles's, met with a Reprieve, by virtue whereof he was brought back again to Newgate, where he continued to the 21ſt of September, when a freſh order came for his execution, and accordingly he was carried in a cart to Tyburn. Before this time, he had made to me the confeſſion that follows, and in which he perſiſted to the laſt. He ſaid, that he was about 41 years of age, born of good parents near the Devizes in Wiltſhire, and brought up to the law in London, where he had lived for ſeveral years paſt. He confeſſed, that he had been unfaithful and unkind to his wife, and had led a very wicked and debauched life; and that to ſupport his lewd and extravagant expences, he had done unjuſtifiable things. As to the murder of Mr. Woodcock, neither myſelf, nor ſeveral other divines, whom

whom I desired to urge the matter to him, could by any arguments that were offered, bring him to a confession of it: he gave this character of himself.

" I was born of very honest parents in the West part of this kingdom, and religiously educated in the church of England, which church (by the grace of God) I die in. I served my clerkship to an eminent attorney in London; my father dying, left me an estate too young, which in some little time I spent. I married a virtuous young woman, whose parents lived at St: Alban's, never having any other wife but her; nor ever lived with any other woman but her; but vainly and profusely spent part of my precious time with many. I had a great blessing in her, if it had pleased God to have given me grace to have made use of it. In the first place, she was to me chaste, beautiful and young, and loved me too well. I, like the cock in the fable, not knowing the value of so precious a jewel, made slight of it, which now too late I esteemed, and repent that " I should " do those things which I ought not to have done, and " have left undone those things which I ought to have " done;" Which omission God Almighty has, I hope, pardoned me. Into whose blessed hands I commend my immortal soul. And so vain world, Adieu."

At the place of execution, where I attended him, and put the thing to him, he again denied it. He said, he freely pardoned all that had injured him, and begged theirs whom he had injured, declaring that he died in perfect charity with all mankind.

After prayers and singing of psalms, and his desiring the standers by to join in prayer for him, I left him, recommending him to the direction of God's spirit. He did not appear dejected at all, nor did he change his countenance, so far as could be perceived. This was the manner in which he went out of the world, which to some seemed very extraordinary. As

he

he was going to be turned off, he desired again the prayers of all good people, and ended his life with calling upon God for mercy.

He was executed at Tyburn, on the 21st of September, 1705.

Mrs. ELIZABETH TORSHELL'S *Letter to the Ordinary of Newgate, containing an Account of the Murder of Mr.* ROBERT WOODCOCK.

Reverend Sir,

AFTER a consideration of your good counsel, I think it my duty to give you an account to the utmost of my knowlege, in this murder of Mr. Woodcock. When Mr. Jefferis and I came through the Park, we went into the hither door of the Mulberry-Garden, and walked up toward the house. Said Mr. Jefferis, "We will go to Chelsea, and if you will go "through the house, we will make an excuse at the "bar". I went through first, and staid at the wall, and Mr. Jefferis came to me. Then we walked towards Chelsea, and entering into the field that is the direct path, Mr. Jefferis said, "There is a friend of "mine, pray walk on, I will overtake you immediate-"ly". Accordingly I did, and got within two fields of Chelsea, when Mr. Jefferis overtook me (which way he came I know not) for I walked very slow, and he was by me before I had any sight of him. I perceiv'd something of a surprize in him. Said I, "You are "out of temper. Have you and that gentle-"man had any words?" He answered me, "We "have had words, and I gave him a small "prick." But said I, "I hope you have not hurt "him." "No, no," said Mr. Jefferis. And that was every word we spoke concerning it. When we came into Chelsea, said Mr. Jefferis, "We will go to "the Cheshire-cheese, for I know the man of that

" houſe." So we went in, for then we were by the door; and when we came into the room, Mr. Jefferis laid his ſword, hat and gloves on the table, and went out of the room. I took the ſword in my hand, and drew it out of the ſcabbard, to ſee if it was bloody, by the reaſon he ſaid that he had pricked the gentleman; but the ſword was neither bloody nor broke, as the boys ſaid: but there is a good reaſon to be given for the boys ſaying ſo. For one day when Mr. Jefferis and I were in chapel, I aſked him, if he did not give the wound with Mr. Woodcock's own ſword, and if he did not draw it. He ſaid, no. Then ſaid I, " As he was drawing his ſword, I ſuppoſe you " ſnatched it from him; for the ſurgeon ſaid, it was " not the ſword you had that gave the wound. And " did you break his ſword, as the boys ſaid you did?" " No, ſaid he, I broke no ſword." But then, replied I, " Did you not go to break it?" He made no anſwer to that word, only ſaid, it happened ſo unfortunately for me to know the ſaid Mr. Woodcock, and my having thoſe rings made him ſuffer. Said I, " I knew not that you had killed him, when you " was fetched by my order; neither did I know that " he was an acquaintance of yours; but ſaid I, I am " told that you have money of his, and that you " changed one of his guineas that night you came " into the goal." Said Mr. Jefferis, " he gave me " none." Nay, Sir, ſaid I to him, " I don't aſk you " if you took them, or if he gave you any; but by " what the boys and I do know, there muſt be ſome- " thing more that I find you are willing I ſhould " know; and I ſuppoſe he would not give you any, " and that was the occaſion you quarrelled." He fetched a very deep ſigh, and ſhook his head, but made me no anſwer, which makes me think it was ſo; for he never ſpoke many words after, which makes me think he did reſent my putting thoſe words

words ſo cloſe to him. All that ever he ſaid to me after, was, that he wondered I was not out, and ſaid, he would not have me come up to chapel, for what reaſon I cannot ſay, except it was for fear I ſhould tell you how he left me; for ſaid he to me, "Don't you mention that when we went to Chelſea, "I was any time out of your company; for if you do, "then I ſhall not be reprieved." I humbly aſk your pardon, Sir, for not letting you know as far as my knowledge reached; but knowing I could not do the deceaſed any good; and if I ſpoke this he would loſe his life, made me leave it to the juſt God, which knows the ſecrets of all hearts. This is all I can ſay, but I beg of you to pray to God for me, to keep me from all ſuch wicked perſons; and that will add very much to the health and ſatisfaction of my poor ſoul.

Sir,

Your moſt obedient Servant,

Out of the Maſter's ſide in Newgate,
Oct. 15, 1705.

ELIZ. TORSHELL.

Sir,

One thing more I forgot to mention, which is, that Mr. Jefferis all along ſaid, he ſhould have a reprieve, if I ſaid nothing concerning his knowledge of Mr. Woodcock; for he ſaid he had petitioned his Grace the duke of Ormond, and that he would get a friend to go to the Queen, which I do believe was Mrs. Lambourn, one of the boy's mothers. Mr. Jefferis moreover ſaid, that the father of Mr. Robert Woodcock ſhould not have his life; for he did not queſtion but he ſhould be reprieved for all that. I ſuppoſe you know, Sir, that Mr. Jefferis's opinion was, that there was only a Heaven, and no place of tor-

ment

ment for bad livers, but to be put out of the preſence of the Lord; which he ſaid to me before he came into this place, and likewiſe ſince you and many more learned divines have taken pains to make him own the fact for which he has juſtly ſuffered.

E. T.

The Life and Trial of JOHN SMITH, *otherwiſe called* HALF-HANGED SMITH, *with an Account of his wonderful eſcapes from the Gallows.*

AT the ſeſſions held at the Old Bailey on the 5th of December, 1705, *John Smith* was indicted for ſtelaing 148 pair of Gloves, and twenty two pair of ſtockings from Richard Highley, on the 3d of December. In the courſe of the evidence it appeared, that the ſhop was broke open, that the goods were packed up in readineſs to be carried off, and that Smith was taken in the ſhop; whereupon the Jury found him guilty, and he received ſentence of Death.

There were three other indictments for crimes of the like nature, againſt this offender; on one of which he was likewiſe convicted.

John Smith was born at Malton in Yorkſhire, and being ſent up to London while young, was bound apprentice to a Packer, with whom he ſerved his time, and afterwards worked as a journeyman. Leaving his place he went to ſea in the Jeffery Galley, a merchant ſhip, and after that in the Triumph, a ſecond rate, commanded by Admiral Graydon, and was in the expedition againſt Vigo.

Being

Being returned from ſea, he was diſcharged from the ſhip, and then enliſted himſelf as a ſoldier, in Lord Cutts's regiment of guards; but the pay of a ſoldier being altogether inſufficient to ſupport his extravagance, he commenced thief and houſe-breaker, and committed ſeveral facts beſides thoſe of which he was convicted.

During the time that he lay under ſentence, he made but little preparation for death, abſolutely depending on a reprieve; but when he found himſelf diſappointed in his expectation, he ſeverely reflected on thoſe who had undertaken to procure it.

On the 12th of December, 1705, he was carried to Tyburn, and having deſired the ſpectators to take warning by his untimely end, and performed his devotions, he was turned off: but when he had hung about a quarter of an hour, a reprieve was brought to the gallows, on which he was inſtantly cut down, and taken to a houſe in the neighbourhood, where being let blood, he recovered, and was carried back to Newgate. When he was aſked with reſpect to his ſenſations at the time he was hanged, he replied, that "when he was turned off, he, for ſome time, "was ſenſible of very great pain, occaſioned by the "weight of his body, and felt his ſpirits in a ſtrange "commotion, violently preſſing upwards; that hav-"ing forced their way to his head, he, as it were, "ſaw a great blaze or glaring light, which ſeemed "to go out at his eyes with a flaſh, and then "he loſt all ſenſe of pain. That after he was "cut down, and began to come to himſelf, the "blood and ſpirits forcing themſelves into their "former channels, put him, by a ſort of prick-"ing or ſhooting, to ſuch intolerable pain, that "he could have wiſhed thoſe hanged who had cut "him down."

On the 20th of February following, this man pleaded his pardon; and we are ſorry to acquaint our readers

readers that the narrow eſcape he had from the grave, did not work a reformation in him; for he again betook himſelf to his unlawful practices, and though he at firſt kept himſelf within the limits of private frauds and petty larcenies, yet at length he entered on his former profeſſion of houſe-breaking, for which he was apprehended, and on the 29th of April, 1715, he was indicted for breaking open the houſe of John Cooper, on the night of the 28th of April, with an intention to ſteal; and alſo for breaking open the warehouſe of Benjamin Longuet and partners, which ware-houſe was the lower room of Mr. Cooper's houſe.

It appeared in the courſe of the evidence, that the warehouſe having been three times broke open, and goods ſtolen, two watchmen were directed to lay in wait for the thieves, and that about five o'clock in the morning of the 29th of April, they heard a noiſe, and ſoon afterwards the padlock was wrenched, and the priſoner going to enter, one of the watchmen ſtruck at him, but miſſing him, he ran away, and was taken at the end of Rood-lane, Fenchuch-ſtreet. On ſearching him they found in his pocket the padlock of the door, with ſeveral pick-lock keys, and a tobacco-box with tinder and matches in it.

Upon the ſtrength of the evidence he was found guilty of breaking the houſe or ware-houſe, as mentioned in the indictment; but whether it was burglary, or in which of the places, the jury were doubtful, and therefore brought in their verdict ſpecial.

Smith was detained a priſoner in Newgate till the 10th of November, when he was brought to the bar, and acquitted on the ſpecial verdict brought againſt him for breaking open the warehouſe of Benjamin Longuet and partners, by the unanimous opinion of the judges: whereupon another indictment was brought againſt him for the ſame fact, in the name of John Cooper, but the proſecutor dying before the

day

day of trial, and no perſon appearing againſt him, he had the unmerited good fortune to be acquitted.

Thus have we ſeen how this offender had three narrow eſcapes from death; one by a reprieve after he was hanged, one by a miſtake in the manner of laying the indictment, and a third by the death of the proſecutor. We are not informed what uſe he made of his laſt eſcape: charity however will incline us to hope that he made the proper uſe of it, that he reformed his vicious life, and returned to the paths of virtue; for ſure he muſt be a hardened wretch indeed, who, having met with ſuch ſignal eſcapes as no other man ever did, could ſtill continue thoſe wicked courſes, which, ſooner or later, never fail to end in deſtruction.

The Trial and Confeſſion of ROGER LOWEN, *who was executed for the Murder of Mr.* RICHARD LLOYD, *of* Turnham-Green.

ON the 20th of September, 1706, *Roger Lowen* was indicted for the murder of Richard Lloyd, of Turnham-Green; and being a foreigner, was permitted to ſpeak by an interpreter, and allowed a jury of half Engliſhmen and half foreigners.

Mrs. Lloyd, the wife of the deceaſed, depoſed, that ſhe was couſin to Mrs. Lowen the priſoner's wife, who having, on the evening preceeding the murder, ſent to her, to deſire to ſpeak with her, ſhe went the next morning; and when ſhe had been there about half an hour, her huſband, who was riding to Acton on buſineſs, called at Mr. Lowen's houſe, and Lowen invited her huſband to dine with him; who ſaid that he muſt firſt go to Acton, after which he would re-

turn

turn home and put up his horſe, and then come: that while he was abſent, Lowen expreſſed great uneaſineſs leſt he ſhould not come; whereupon ſhe told him that if it did not rain much, he would come, agreeable to his promiſe: that between twelve and one o'clock her huſband came, and Mr. Lowen introduced him into the parlour, with much ſeeming civility: that her huſband put his ſword and cane in a corner of the room, and Mr. Lowen invited them into the garden to ſee his plants: that having walked about half an hour, they returned into the houſe, and then Mr. Lowen deſired his wife to ſtep into the kitchen to haſten the dinner: that then the priſoner, her huſband, and herſelf, going into the parlour, the priſoner took up her huſband's ſword, and drawing it a little way out of the ſcabbard, praiſed it, and aſked who was his cutler; by which ſhe thought that he intended to purchaſe a new one: that before this there had been no quarrel between her huſband and the priſoner, in whom there appeared no ſign of anger; and while her huſband ſtood with his hands behind him, looking up the cauſeway, Mr. Lowen on a ſudden drew the ſword quite out of the ſcabbard, and giving a ſtamp with his foot, ran it into her huſband's body, juſt upon the right pap.

Hereupon this deponent cried out murder, catched hold of the ſword to diſengage it from her huſband's body, and ſtruggling with the priſoner, got it out, but he drew it through her hand, in doing which he cut her finger to the bone, and then ſtabbed her huſband in the arm.

Mr. Lloyd, lifting up his eyes, went towards the door to lean upon a rail, and this deponent followed him, crying out murder, and ſaid, "Speak to me, my "dear;" on which he held up his hands, but could not ſpeak: ſhe then, with ſome help, got him into the houſe, where, having groaned twice, he immediately expired. In the interim, Juſtice Hawley paſſing

ſing by, accidentally, ſhe informed him of the fact, telling him that a villain had murdered her huſband.

Juſtice Hawley, and other witneſſes, depoſed, that the priſoner, on his examination, acknowledged the fact, ſaying that he intended to have done it before, and that all his concern was leſt he ſhould not have killed him. The cauſe of his reſentment againſt the deceaſed was, that he ſuſpected that he had been too familiar with his wife, and that he had often trod upon his corns, and gave him no other ſatisfaction than begging pardon for it. That he had been told that in his abſence from England his wife lived in great ſplendor, keeping a coach, chariot, footmen, &c. but other witneſſes proved that this was falſe.

The priſoner, in his defence, pleaded, that when he went from England, which was about nine years before, he had intreated his wife to go with him, which ſhe refuſed: that the deceaſed had called him ſeveral names, and had often trod upon his corns, &c.

Some perſons were then called, who endeavoured to prove that the family of the priſoner had been often obſerved to be diſcontented, &c. but the jury, paying no regard to theſe trifling depoſitions, found him guilty of the facts laid againſt him in the indictment, in conſequence of which he received ſentence of death.

Roger Lowen was a German gentleman, about 40 years of age, born at Hanover, and brought up in the Lutheran church. He ſaid, that he had been a gentleman of the Equerry to the late Duke of Zell; and that before he was entertained in that ſervice, the Duke (in conſideration of his father, who was his huntſman) ſent him into France to learn his exerciſes, at his Highneſs's charge. He confeſſed that he had not lived according to that knowledge he had in religion, and that, like many other gentlemen who

mind nothing but the ſinful pleaſures of this preſent life, he had been very looſe and extravagant. He readily owned that he had aſſaulted, and for a long time before deſigned to kill Mr. Richard Lloyd; but for a great while before his trial, and even ſome time after it, he ſeemed to doubt very much of that gentleman's death; ſaying, that it was impoſſible he ſhould have died of the wounds he gave him. But when he was at laſt convinced that he was really dead, then he appeared to be ſenſible that he had committed a very baſe and heinous crime, and expreſſed great ſorrow for it; and this was ſo much the more afflictive to him by how much he conſidered the enormity of that bloody fact, both as to the nature of it, and the manner of his committing it, and withal the unreaſonableneſs of that jealouſy which had proved the unhappy occaſion of it. After his condemnation he ſeemed to apply himſelf in good earneſt to his devotions, in which he was principally directed by two Reverend Divines of his own church and nation, viz. Mr. Ruperti and Mr. Idzardi, who laboured to make him ſenſible, that the crime for which he was juſtly to die, was both in itſelf, and in the heinous circumſtances attending it, moſt baſe, barbarous, and inhuman, and required a degree of repentance proportionable to the height of that ſtain and guilt which it had brought upon his ſoul; and therefore he had great need of the blood of Chriſt to waſh him clean, and of God's extraordinary help and mercy, (which he ought to implore) if ever he expected to avoid the eternal wrath and vengeance of the juſt Judge of the whole world.

At the place of Execution he delivered the following paper to the Ordinary of Newgate.

IT is already known to the world for what reaſon I am now brought to this place, and am to ſuffer this ſhameful death, viz. for my having ſhed innocent blood.

blood. I do acknowledge the fact, and confeſs my fault, and reſt ſatisfied of the juſt ſentence paſt upon me, it being agreeable to the laws of the land, and the command of God, that " Whoever ſheddeth man's " blood, by man ſhall his blood be ſhed; for God has " made man after his own image." I was born of honeſt parents; my father was an Engliſhman, and my mother a German: I was educated in the Proteſtant Religion. I declare before God and man, that I always had an abhorrence and averſion to actions of this kind, and have taken great care in all the courſe of my life to avoid them: and though I often had the opportunity of taking away the life of my adverſaries in ungodly duels and quarrels, yet I take God to witneſs, as a dying man, I never was guilty of any murder before this, for which I juſtly ſuffer. I am therefore the more grieved now, that I have been moved to ſo great a paſſion, as to ſtudy revenge, by the inſtigation of the devil and ſinful jealouſy, which made me think (as I was perſuaded by Mr. Cruſius) that my wife was married, in my abſence, with the deceaſed. This is the unhappy thing that brought me to the commiſſion of this horrid ſin, which I heartily bewail with tears, and I do ſubmit to my juſt puniſhment. I am deeply ſenſible how greatly I have offended Almighty God, and therefore humbly implore his pardon and forgiveneſs, and that my ſinful ſoul may be waſhed from my ſins in the blood of ſprinkling, that precious blood ſhed by my Redeemer, which ſpeaks better things than the blood of Abel: and having the promiſes from the word of God, and his own oath, that whenever a ſinner truly repents and turns to him, he is willing to receive him and forgive him, herein is the only hope and comfort of my departing ſoul. I likewiſe humbly beg the pardon of her Moſt Gracious Majeſty Queen Anne, (whom God bleſs) and publickly aſk pardon of the widow of the deceaſed Mr. Lloyd, as I have

done already by a letter which I have left unſealed with Mr. Rup, Miniſter at the Savoy, &c. to ſend it to her, hoping ſhe will (as a Chriſtian) forgive me, as we all hope for mercy and forgiveneſs from God, through the blood of Chriſt. In like manner I aſk pardon of my dear wife, who has been many ways injured by this ſaid occaſion; and I ſincerely declare, that I am fully ſatisfied of her innocence, and that I was jealous without a cauſe: and I do not in any reſpect aſcribe to her the cauſe of my misfortune. I truly love her, and aſſure the world that I have never been married to any other woman; and I pray heartily for her proſperity and happineſs both of ſoul and body. Laſtly, I deſire all good people, for God's ſake, earneſtly to pray for the ſalvation of my poor ſoul; and I exhort all to take warning by my ſad misfortunes, that they would not give way to jealouſy, anger, revenge, or ſuch like paſſions; but reſiſt the temptations of the devil, the world, and the fleſh, with conſtant and devout prayers to God, and forgive their enemies, and pray for them. All which I heartily and ſincerely do, as I hope God will forgive me for Chriſt's ſake.

ROGER LOWEN.

He was executed at Turnham-Green, on the 25th of October, 1706.

The Trial and Behaviour of JOHN HERMAN BRIAN, *condemned for robbing and burning the Houſe of* PETER PERSUADE, *Eſq.*

ON the 16th of October, 1707, *John Herman Brian* was indicted at the ſeſſions held at the Old Bailey, for breaking open the dwelling houſe of Peter

Peter Perſuade, Eſq. and taking from thence a gold etwee caſe and chain, a gold watch, ſeventeen guineas, and other things of value.

He was alſo indicted for burning and conſuming the manſion houſe of Peter Perſuade, Eſq. in St. James's-Street, Weſtminſter.

In the courſe of the evidence it appeared, that the priſoner had been a ſervant to Mr. Perſuade, and was diſcharged his ſervice two days before the fact was committed: that at ten o'clock at night, Mr. Perſuade had left all his doors and windows faſt: that when Mrs. Perſuade went to bed, ſhe locked up her watch, etwee caſe and other things; that awaking about three o'clock in the morning ſhe ſmelt a ſtrong ſmell of ſmoak, and getting up, went out of her chamber, and found a lighted flambeau in the paſſage, which had burnt the boards: ſhe then opened the door of a parlour, which was filled with ſmoak, and inſtantly the room was on fire, which raged with ſuch fury, that they were not able to ſave any of their goods, and in a quarter of an hour the houſe was conſumed. It appeared that a poor woman going by Mr. Perſuade's houſe very early in the morning, obſerved it to be full of ſmoak, and knocked at the gate, but could make nobody in the houſe hear: that at the ſame time ſhe ſaw a man come over the wall, who ſaid to her, " D—n you, are you drunk? " what do you do here knocking at people's doors at " this time of the day?" and then went off; but ſhe could not poſitively ſwear that the priſoner was the perſon.

It likewiſe appeared that the priſoner had offered to ſell the etwee-caſe to Meſſieurs Stevenſon and Acton, Goldſmiths, for eight pounds; but thoſe gentlemen ſuſpecting that he had ſtole it, ſtopped it, and the priſoner went away, after which, on enquiry, they found it belonged to Mr. Perſuade; and the priſoner

priſoner coming afterwards to demand it, they ſeized him, and found about him two piſtols and a dagger.

By the depoſitions of other evidences it appeared, that when the priſoner left Mr. Perſuade's ſervice, he took a lodging at the houſe of a Frenchman near St. Anne's; but that he was not at his lodging the night the facts were committed, and that at twelve o'clock the next day he left this lodging, and took another in Spital-fields, to which he carried a trunk, a box, and a bundle ſealed with three ſeals, which being opened, were found to contain linen and other things, the property of Mr. Perſuade.

It farther appeared that when the priſoner was ſent to Newgate, he was narrowly ſearched, and a purſe, containing ſeventeen guineas, was found tied up tight between his legs; and that on the 31ſt of Auguſt he had ſold two piſtols and a fowling piece, which being produced in court, were ſworn to be the property of Mr. Perſuade.

The priſoner, in his defence, denied all the facts, aſſerting that he bought the goods of a ſtranger; but as he could give no proof of this, nor any ſatisfactory account where he was on the night the facts were committed, the jury did not heſitate to find him guilty.

From the Ordinary's account of this malefactor, we collect the following particulars: He ſaid that he was about 24 years of age, born of honeſt parents, at Dully, a village belonging to the Bayliwick of Morge, in the canton of Bern in Switzerland; that he was brought up in the Proteſtant religion, and ever continued in that profeſſion: that when he removed from his native place, he went to Geneva, where he lived four or five years in the ſervice of an honeſt gentleman, and afterwards travelled with another into Italy: that from thence he came into England, where, (in the ſpace of three years) he was at ſeveral times entertained

tertained in the ſervice of divers honourable and good families, and laſt of all in Mr. Perſuade's; in which he continued two months, and was then diſmiſſed from it, for his careleſſneſs, and peremptorineſs in aſking to be diſcharged. He ſaid, that for the moſt part of his life he had been a Valet or Domeſtic, and that in his younger years, having for about a fortnight's time tried to learn the art of a Lapidary, and not liking it very well, he lived afterwards with a Joyner for the ſpace of a twelvemonth, or thereabouts; but that trade being too hard for him, he left that alſo, and went to ſervice, in the capacity aforeſaid, and lived by that, and by buying and ſelling of Goods. But he denied he ever meddled with any that he could ſuppoſe might be ſtolen; and would fain have perſuaded the world, that he had bought the goods found in his poſſeſſion, belonging to Mr. Perſuade, of two perſons, one a ſoldier, and the other a ſeaman, whom he accidentally met with, viz. the former in Moorfields, who ſold him the linen, the gold watch and gold etwee, &c. and the latter on Tower-Hill, of whom he bought the two piſtols and fowling-piece: being aſked who thoſe two perſons were, he anſwered, he never ſaw them in his life before, neither knew what became of them afterwards, nor where they might be found; and yet he expreſſed a great deal of diſſatisfaction with the proceedings againſt him, and thought it hard to be found guilty; though he could alledge nothing that was any ways available to his juſtification: only ſaying, that he did buy thoſe things (proved to be ſtolen) that were found upon him. And ſo full was he of his pretended innocence in this matter, that (notwithſtanding all that could be ſaid to him) inſtead of confeſſing his crimes as a thief and incendiary, and begging pardon of God and man for them, he could not forbear his unworthy reflections upon the proſecutor, witneſſes and juſtice. There was no admonition

monition or exhortation, no argument fetched from ſcripture or reaſon, no repreſentation of a future ſtate, either of endleſs bliſs, or eternal miſery, that could prevail with him, and awake him to a due conſideration of what he ought to do before he left this world. Some worthy French Divines, who had the charity to come and viſit this malefactor in Newgate, found and left him in this his unaccountable obſtinacy, and uncharitable temper, both with reſpect to his neighbour and his own ſoul; he not only denying the facts for which he was condemned, but charging them with injuſtice who had brought him under this condemnation; but he proteſted that he was innocent ſtill. And in this proteſtation of his innocence he perſiſted even to the very laſt. All the time he was under condemnation, he ſeemed to mind nothing more, than to make his eſcape; having attempted it, by unſcrewing and filing off his irons ſeveral times: and when he was told that he ſhould think of ſomething elſe, and not ſpend in vain contrivances the few precious moments he had to live here, but ſhould carefully employ them in the thoughts of, and preparation for eternity, &c. He anſwered, "that life was ſweet, and that any "other man, as well as himſelf, would endeavour to "ſave it if he could."

He was executed in St. James's-ſtreet, on the 24th of October, 1707, and afterwards hanged in chains at Acton Gravel-pits.

Account

Account of the exploits of JACK HALL *the Chimney-ſweeper, convicted of Burglary.*

THIS criminal, who, in his time, was much the ſubject of public converſation, for the number of roberies of various kinds that he committed, was the ſon of poor parents, born in Biſhop's-head-Court, Grays Inn Lane, and in the early part of his life following the occupation of a chimney ſweeper, which he ſoon quitted, and took to picking of pockets, at which he is ſaid to have a more than common dexterity; but as acts of diſhoneſty never fail to diſtreſs thoſe who practice them, ſo our hero was frequently detected, and ſent to beat hemp in Bridewell.

Having ſeveral times been puniſhed in this manner, he at length took to ſhop-lifting, and being convicted at the Old Bailey, in the month of January, 1698, for ſtealing a pair of ſhoes, he was ſentenced to be whipped at the cart's tail, after which he was diſcharged from priſon, and took up the employment of houſe-breaking.

Before he had followed this new profeſſion any conſiderable time, he was apprehended for breaking open the houſe of Jonathan Bretail; and being capitally convicted at the Old bailey, he received ſentence of death in 1700, but afterwards obtained a pardon, on condition that within ſix months he ſhould tranſport himſelf to ſome of the plantations; and accordingly he entered himſelf on ſhip-board; but not liking that way of life, he took the firſt opportunity of quitting it, and going among his old companions, they entered on the practice of ſtealing portmanteau, boxes, trunks, &c, from behind coaches, and Hall being again detected, was indicted at the Old Bailey,

in January, 1702, upon three different indictments; the firſt, for ſtealing a portmanteau, a ſilk night-gown, a watch, five guineas and other goods, the property of Gilbert Cole.

In the courſe of the trial it appeared, that the goods where ſent to the Three Cups in bread-ſtreet, in order to be carried to Briſtol, and that the coach ſetting out early in the morning, ſtopped in St. Gile's to take up two paſſengers: in the mean time, Hall, and two of his accomplices, conveyed the goods from behind the coach, and putting them into a hackney coach, bid the coachman drive to Ratcliff highway, and ſtopping at a public houſe there, the accomplice got out, and left Hall with the goods in the coach.

The maſter of the houſe, ſuſpecting the honeſty of his gueſts, gave immediate notice to a conſtable, who ſent a beadle; and Hall no ſooner ſaw him than he bid the coachman drive down Old Gravel Lane; but being purſued, he was taken, and conveyed to Newgate, and being ſoon afterwards tried and convicted, he was burnt in the cheek, and ſent to Bridewell for two years.

He was no ſooner out of confinement, than getting into company with Stephen Bunce, Dick Low, and others, they went to Hackney, and in the dead of the night broke into a Baker's houſe, where the journeyman and apprentice being up and at work, they ſuddenly ſeized them, tied them neck and heels, and threw them into the kneading-trough, and one of them ſtood over them with a drawn ſword, ſwearing he would cut off their heads if they preſumed to move.

In the mean time the others went up ſtairs,, where they bound and gaged the baker and his wife, and then ſearched the chamber; but not finding the booty they expected, they gave the old man his liberty, and demanded where the money was: but he being unwilling

unwilling to tell them, Hall took a young child, the grand-daughter of the old folks, and ſwore he would thruſt her into the oven, if he did not immediately diſcover where his money lay. The old man, terrified at this menace, made the deſired diſcovery, in conſequence of which the villains obtained a booty of about ſeventy pounds, with which they made off.

They ſoon ſquandered away this money, and then went to their old trade, and the houſe of Francis Saunders, a chairman near St. James's being broke open in the month of July, 1704, he by ſome means obtained information that it was done by Hall and two of his companions; and as he was waiting at St. James's one morning about three o'clock, he ſaw theſe very fellows, who he ſuppoſed were engaged in deſigns of the ſame nature; and giving notice to the watchmen, they were purſued; whereupon Hall fired a piſtol at the watchman, and miſſed him, but one of the others ſhot him in the thigh: Hall and another made his eſcape; but one of them was taken and tried, but acquitted for want of ſufficient evidence.

In the month of July 1705, Hall was apprehended for breaking open the houſe of Richard Bartholomew, and committed to Newgate: but his name being by this time well known at the Old Bailey, he began to be ſeriouſly afraid of the gallows, and therefore changed his name, and was tried by that of Low Price. In the courſe of the evidence it appeared, that one Robert Roman, who had been tried and convicted for the ſame fact, had declared that it was done by Hall and himſelf; beſides which, there were ſome other circumſtances againſt him; but all this being thought inſufficient to convict him, he was acquitted.

Being once more at liberty, he betook himſelf to his old practices, and after committing various robberies, was again apprehended and indicted in the month of October, 1706, together with Arthur

Chambers, for ſtealing a handkerchief from Hannah Glub; but there being a deficiency in the evidence, he was once more acquitted.

One would imagine that theſe repeated eſcapes ſhould have been a ſufficient warning to him to change his courſe of life; but this was far from being the caſe; for ſoon after this he was apprehended for a fact which he had all the reaſon in the world to imagine would bring him to the gallows: in order therefore to preſerve his life a little longer, he turned evidence for the queen, and ſwore againſt Arthur Chambers, Thomas Bell, Zachary Fitch, and other of his accomplices, for various burglaries.

Having thus obtained his liberty, at the expence of the lives of his companions, he immediately took to his old trade, and after the commiſſion of divers robberies, he was again apprehended and tried with Stephen Bunce and Richard Low, for breaking open the dwelling houſe of Captain John Guyon, in the night of the 25th of November, 1707, and ſtealing plate and goods to a conſiderable value.

Mrs. Guyon depoſed, that hearing a noiſe about two o'clock in the morning, ſhe got up to alarm the neighbours, when ſuddenly three men ruſhing into her room, two of them came up to her, and ſaid, "D—n you, deliver your money," giving her at the ſame time a blow on the face, and bidding her go to bed: that ſhe replied ſhe had no money there, but what ſhe had was in the next room, whereupon they went into that room, and ſhe locked the door upon them: ſhe ſaid that the perſon who ſtruck her was a tall man, much about the ſtature of Low; but as there was no light but that of the moon, ſhe could not ſwear to any of their faces.

The evidence of Mrs. Guyon was confirmed by her ſervant maid, with this addition, that Jack Hall holding a candle in his hand, and a piſtol at her breaſt, ſhe had an opportunity of taking a perfect view

of

of his face; ſo that ſhe could ſwear poſitively to him.

A lad of eleven years of age, the ſon of Mr. Briggs. who kept the Green Man, near Billingſgate, depoſed, that on the morning the robbery was committed, ſix men came to his father's houſe about four o'clock, and he being near them, could hear and ſee what paſſed between them, which was as follows: viz. that one of them pulled a dram-cup out of his pocket, and another out of a handkerchief; that they had likewiſe ſome head-dreſſes with knots, and a waiſtcoat trimmed with ſilver; (which by the deſcription appeared to be the things that the proſecutor had loſt) that he heard Bunce ſay "We have made a pretty "good hand of it to night; to which Hall replied that "he hoped they would make a better hand of "it to morrow night."

The boy being aſked how he came to know the one from the other, ſaid, that when they ſpoke aloud they called one another brother ſtitch, and when they ſpoke low they called each other by their proper names; and that having heard them make an appointment to meet at the Two Fighting Cocks in Bunhill-fields, between five and ſix o'clock in the evening, he acquainted his father with what he had ſeen and heard.

The father ſuſpecting them to be perſons of ill fame acquainted ſome ſtout men of what his ſon had told him, and they agreed to go and apprehend them: they accordingly went to the place, but not finding them there, came away, and met them going thither, and endeavoured to ſeize them, which at length they effected, though the priſoners fired ſeveral piſtols at them.

Richard Low, expecting to be caſt on another indictment againſt him, for breaking open the houſe of Jacob Curtis, (together with other fellows) declared that

that he alone was guilty of this fact; in order to ſave the other two: but the evidence being clear, and all of them known to be notorious offenders, the jury brought them all in guilty.

When Hall was under ſentence of death, he confeſſed that within the ſpace of three years paſt, he had committed a great many robberies, and ſome of them very conſiderable, in and about London; but he would not come to particulars, ſaying he had forgot them in a great meaſure, and it would ſignify nothing to any perſons to know every ill thing he had done, for he could make no other amends to the perſons he had wronged, than to aſk their pardon: that he had lived a very bad life; that idleneſs and gaming had brought him to the commiſſion of thoſe facts; and that he had been guilty of all manner of ſins but that of murder.

He likewiſe ſaid, that when of late he had ſome thoughts of leaving off thieving, he found his inclinations were ſtill that way. He alſo expreſſed himſelf as if he was then willing to die, deſiring nothing in this world, but that God of his infinite mercy would forgive whatever he had done amiſs, and diſpoſe him to die well, that he might avoid the eternal condemnation he had deſerved: but if he were to live his life over again, he hoped he ſhould be wiſer and better.

He was executed at Tyburn, in the thirty-ſecond year of his age, on the 17th of December, 1707, with Stephen Bunce, Dick Low, &c. And being a perſon of eminence in his way, a certain poetaſter honoured his memory with the following elegy.

An Elegy on JACK HALL *the Chimney-ſweeper.*

AT laſt thy roguiſh reign is ended,
And thou deſervedly ſuſpended:
Where art thou now, thou reprobate,
Who jeſted'ſt at a future ſtate,
And ſaid the place the devils kept
Was ſooty, wanted to be ſweept?
And they conſulting did agree
To ſend expreſs away for thee:
And ſo thour't gone the Tyburn road,
The neareſt way to their abode.
But yet 'tis thought that there are ſtore
Of thy ſly trade gone there before;
Witneſs the bacon, beef, and tongue,
Which in the chimnies reezing hung,
Till by the tribe were ſweept away,
For which they now ſeverely pay.
Methinks I ſee the ſulph'rous ſhore,
Where clouds of thieves ſent there before,
Thee welcome give with diſmal roar.
Did'ſt think the fiends there would be civil
Becauſe they 're known to love what's evil?
Make but the outſide like appear,
Thy intellects already are:
So put thy ſweeping garments on,
'Twill make each devil think thee one;
Or cauſe this proverb after all,
Ha! like to like, ſays the devil to Hall.
If every rogue throughout the nation,
Should die like Hall, by ſuffocation,
Some now in coaches would in carts
At Triple-Tree receive deſerts;
Lawyers, Phyſicians, Courtiers, Jaylors,
Would march in troops, and all the Taylors;

Nay

Nay I could mention to a L—d,
But like his S—h, 'twould be abuſed,
Beſides Scan—Mag—this is the word,
Some hemp ſhould likewiſe be commixt,
For many who prevents the text,
And what is worſe than thieves can do,
Cheat you of ſoul and money too,
Lead ſcandalous and wicked lives,
And, like Bell-ſwagger, rides your wives.
The benefit of the clergy ſee,
When ſome poor rogues are at the tree,
Who 'cauſe they cannot read a verſe,
Are made to ſing it, and that's worſe;
Which by the by, is charming ſinging,
They ſhake ſo well, remember ſwinging;
Beſides, obſerve the fatal line,
Makes each exactly ſtop in time:
O fooliſh cuſtom! (as one ſaid)
For ſinners when they're almoſt dead
To have ſuch crotchets in their head.
If to this elegy a proper tune is,
Pray howl it forth with *Finis Funis.*

EPITAPH.

HERE lies Hall's clay
Thus ſwept away;
If bolt or key
Oblig'd his ſtay
At judgment-day,
He'd make eſſay
To get away:
Be't as it may,
I'd better ſay,
Here lies Jack Hall,
And that is all.

Some

Some Account of STEPHEN BUNCE *and* RICHARD LOW, *executed with* HALL.

STEPHEN BUNCE was born of wealthy parents in the county of Kent, and brought up with his grandfather, reported to be worth 800 l. *per Annum*, at Feverſham; but not being ſo obliging and dutiful as he ought to have been, he went to ſea, and after having made a voyage or two, came on ſhore at Plymouth, and there married an alehouſe keeper's daughter in that town; but ſhe proving a little looſe, he left her; and coming up to London, grew lewd, and betaking himſelf to no honeſt employment, but frequenting billiard tables, cock-pits, and ninepin-grounds, and keeping company with lewd women, ſoon conſumed what money he had; and having gotten into wicked acquaintance, was eaſily induced to fall into evil practices to ſupport his extravagancies, and was apprehended and indicted at the Old-Bailey, Auguſt 3, 1705, for ſtealing a ſword from the ſide of an officer of the trained-bands; and the evidence being plain againſt him, he was convicted, and received ſentence of death, but obtained a pardon on condition of tranſportation: but having gotten his liberty, he falling in with his old acquaintance, ſoon betook himſelf to his former practices; and having committed ſeveral robberies in company with James Hacket, being apprehended for a fact for which he thought it would go hard with him, he got himſelf to be admitted an evidence againſt Thomas Smith, William Hutchins, and other of his accomplices, in February 1707, and by that means obtained another pardon, on condition of tranſporting himſelf; but inſtead of performing it, he fell into the company of Jack Hall and Dick Low, and after the commiſſion of divers robberies, was apprehended and tried with them for breaking the houſe of Captain Guyon, in the pariſh

of Stepney ; and being found guilty, received ſentence of death the third time. Being under ſentence, he behaved himſelf with a ſeeming penitence, confeſſed he had lived very lewdly, ſpent moſt of his time in drinking and gaming, and of late years committed many robberies, for which he aſked pardon of God and man, ſaying he was ſorry he could make no other ſatisfaction than by his death, to which he was willing to ſubmit, and therefore deſired his friends not to petition for his life. He was executed in the 28th year of his age.

RICHARD LOW was born at Weſtminſter, near the Horſe Ferry, was brought up to the Sea, but coming on ſhore, and falling into bad company, was eaſily induced to make one amongſt them, and was apprehended for breaking the houſe of Doctor Cornelius a Tilburgh, and ſtealing divers goods, in June 1704, but there not being ſufficient evidence againſt him, he was acquitted, and as ſoon returned to his former way of living; and having committed ſeveral robberies, for which he was apprehenſive that the next time he came to the Old Bailey he ſhould not fail to be convicted, he gave an information againſt ſeveral of his comrades, and was admitted an evidence againſt John Goodwin, alias Plump, in April 1707, and thereby obtaining his liberty, he immediately began his old practices, and was apprehended the July following, for ſtealing 3l. from the perſon of Hannah Glub: but finding means to buy off this proſecution, nobody appearing againſt him, he was acquitted; and loſing no time to proſecute his rogueries, was apprehended again in the November following, for breaking the houſe of Captain Guyon, with Jack Hall and Stephen Bunce, and alſo for breaking the houſe of Jacob Curtis and Chriſtopher Gately; and —— Jones making himſelf an evidence

evidence againſt him, he was found guilty of all the indictments, and received ſentence of death.

He acknowledged to the Ordinary the juſtice of his condemnation, confeſſed he had committed many robberies within the laſt four or five years in and about London; had been guilty of all ſins, murder only excepted; expreſſed his ſorrow that he had lived ſo wicked a life, ſaying, that were he to live it over again, he hoped he ſhould wholly reform his conduct. He was executed in the 24th year of his age.

They all of them expreſſed a ſatisfaction that they had none of them ever killed any perſon, and that if at any time they had let off a piſtol, it was not with a deſign to kill, but to ſecure themſelves from being taken; and that then they deſired to die rather than live, ſaying, that they hoped it would be for their good hereafter, to undergo that puniſhment here.

Account of the Trial and Behaviour of JOHN MORGRIDGE, *condemned for the Murder of Mr.* WILLIAM COPE.

ON the 5th of July 1706, at the ſeſſions held at the Old Bailey, *John Morgridge* was indicted for the murder of William Cope, gentleman.

In the courſe of the evidence it appeared, that Mr. Cope having obtained a lieutenant's commiſſion, invited ſeveral captains and other gentlemen to dine with him at the Dolphin tavern in Tower-ſtreet, on the 17th of June 1706.

One of the gentlemen who was invited, aſked Mr. Morgridge to go with him, aſſuring him that Mr. Cope would make him as welcome as any gentleman

in the company: hereupon Morgridge went; and after dinner was over, and Cope had paid for it, they all ſtaid and had more wine, and when they had drank for ſome time, and each man paid half a crown, they aroſe, and moſt of them went away; but Mr. Cope inviting Morgridge and ſome others to the Corp de Garde, they went with him, and as ſoon as they came there called for wine, two bottels of which were ſet upon the table.

As they were drinking, a coach ſtopped at the door of the guard-room, in which was a woman of the town, who aſked for Captain Cope: hereupon Cope and Morgridge immediately went to her and introduced her into the guard-room; and when ſhe had been there a little while, ſhe ſaid "who will pay for my "coach?" to which Morgridge anſwered, "I will;" and did ſo. He then offered to ſalute her, but ſhe rejected him with ſcorn, and inſulted him with abuſive language, which he as freely returned.

Cope now took the woman's part, and a quarrel enſued between him and Morgridge, (who were both intoxicated) which ſoon increaſed to ſuch a degree that they threw the bottles at each others head, and in the heat of the quarrel Morgridge drew his ſword, and wounded Cope in ſuch a manner, that he died on the ſpot.

The jury having heard the evidence, acquitted him on the ſtatute of ſtabbing, and brought in their verdict ſpecial; ſo that it was left to the determination of the judges, by whoſe unanimous opinion he was afterwards declared guilty of wilful murder: but having, in the mean time, made his eſcape out of the Marſhalſea, he went to Flanders; ſo that ſentence could not be executed on him till he was retaken; when that happened, he was brought to England, and received ſentence of death on the 21ſt of April, 1708.

While

While he remained under ſentence, he owned the juſtice of it, though he declared that he had no premeditated malice againſt the perſon whom he had ſo unfortunately killed. He acknowledged that he had been a great ſinner, for which he profeſſed the deepeſt repentance; and in particular for that crime for which he was condemned to die. He ſaid that ever ſince he had made his eſcape, though he had no idea of ſuffering in this world, yet the ſenſe of his ſin was always before him, and had given him conſtant uneaſineſs. He had made ſtrong reſolutions to reform his life, and was always praying to God, for pardon and protection.

Mr. Morgridge was about forty years of age, born at Canterbury, and educatad in the Proteſtant Religion, as profeſſed by the eſtabliſhed church of England: his anceſtors had the honour to ſerve the crown for upwards of two hundred years, and he himſelf was for a conſiderable time, kettle drummer to the firſt troop of Horſe Guards, and was on the point of having a commiſſion, when the melancholy affair happened which coſt him his life.

He profeſſed to die in perfect charity with thoſe who had been the means of bringing him to condign puniſhment, and with all the world; and hoped that other perſons would take warning by his untimely fall.

He was executed at Tyburn, on the 28th of April, 1708.

Thus we ſee an inſtance of the loſs of two perſons, who might have long continued uſeful and valuable members of ſociety; through a drunken quarrel about a woman of ill fame. Hence let the young and the thoughtleſs learn to keep a conſtant watch over their irregular paſſions, to guard againſt the inflammatory

effects

effects of ſtrong liquors, and above all to ſhun the company of harlots, which, in a thouſand inſtances beſides the preſent, has ended in utter ruin and deſtruction!

Account of WILLIAM GREGG, *executed for holding a Correſpondence with the Queen's Enemies.*

THERE have been few criminals in this country whoſe cauſe have ſo much engaged the attention of the public as that of this unfortunate man. The account given by the Ordinary is very ſhort and ſuperficial; we ſhall therefore endeavour to ſupply what is wanting in his relation, from the works of a Right Reverend Author, who is ſhrewdly belied, if he did not owe his firſt riſe in the world to the manufacturing of a dying ſpeech.

" At this time (ſays Biſhop Burnet) two diſcoveries " were made very unlucky for Mr. Harley: Tallard " wrote often to Chamillard, but he ſent the letters " open to the Secretary's Office to be peruſed and ſealed " up, and ſo to be conveyed by the way of Holland. " Theſe were opened upon ſome ſuſpicion in Holland, " and it appeared, that one in the Secretary's Office put " letters in them, in which, as he offered his ſervice " to the courts of France and St. Germains, ſo he gave " an account of all tranſactions here. In one of theſe " he ſent a copy of the letter that the Queen was to " write in her own hand to the Emperor: and he " marked what parts where drawn by the Secretary, " and what additions where made to it by the Lord " Treaſurer. This was the letter by which the Queen " preſſed the ſending Prince Eugene into Spain; and " this

" this, if not intercepted, would have been at Verſailles
" many days before it could reach Vienna.

" He who ſent this, wrote, that by this they might
" ſee, what ſervice he could do them, if well encou-
" raged. All this was ſent over to the Duke of
" Marlborough; and upon ſearch it was found to be
" written by one Gregg, a clerk, whom Harley had not
" only entertained, but had taken into a particular
" confidence, without enquiring into the former parts
" of his life; for he was a vicious and a neceſſitous
" perſon, who had been Secretary to the Queen's En-
" voy in Denmark, but was diſmiſſed by him for
" his ill qualities. Harley had made uſe of him to get
" him intelligence, and he came to truſt him with the
" peruſal and ſealing up of the letters, which the
" French priſoners here in England ſent over to
" France, and by that means he got into the method
" of ſending intelligence thither. He, then ſeized on,
" either upon remorſe or hopes of pardon, confeſſed
" all and ſigned his confeſſion; upon that he was
" tried, and pleading guilty, was condemned as a
" traitor, for correſponding with the Queen's ene-
" mies.

" At the ſame time Valiere and Bara, whom Har-
" ley had employed as his ſpies to go often over to
" Calais, under the pretence of bringing him intel-
" ligence, were informed againſt, as ſpies employed
" by France to get intelligence from England, who
" carried over many letters to Calais and Bulloigne,
" and, as was believed, gave ſuch information of
" our trade and convoys, that by their means we
" had made our great loſſes at ſea. They were often
" complained of upon ſuſpicion, but they were always
" protected by Harley; but the preſumptions againſt
" them were ſo violent, that they were at laſt ſeized
" on, and brought up priſoners.

This affair was ſo well improved by the whigs, that Mr. Harley was obliged to reſign, and his ene-

mies,

mies, in their great charity, were inclined to carry matters ſtill further, and if poſſible, were reſolved to find out evidence enough to reach his life. With this view the Houſe of Lords ordered a committee to examine Gregg, and the other priſoners, who were very aſſiduous in the diſcharge of their commiſſion as the reader will perceive from the following account, extracted from the ſame Right Reverend Author.

" The lords who were appointed to examine Gregg, " could not find out much by him; he had but newly " begun his deſigns of betraying ſecrets, and he had " no aſſociates with him in it. He told them, that " all the papers of ſtate lay ſo careleſsly about the " office, that every one belonging to it, even the " door-keepers, might have read them all. Harley's " cuſtom was to come to the office late on poſt nights, " and after he had given his orders, and wrote his " letters, he uſually went away, and left all to be " copied out when he was gone. By that means he " came to ſee every thing, in particular the Queen's " letters to the Emperor. He ſaid, he knew the deſign " on Toulon in May laſt, but he did not diſcover it, " for he had not entered on his ill practices till Octo- " ber. This was all he could ſay.

" By the examination of Valiere and Bara, and of " many others who lived about Dover, and where em- " ployed by them, a diſcovery was made of a con- " ſtant intercourſe they were in with Calais, under " Harley's protection. They often went over with " boats full of Wood, and brought back brandy, " though both the import and export were ſeverely " prohibited. They and thoſe who belonged to the " boats carried over by them where well treated on " the French ſide at the Governor's houſe, or at " the Commiſſary's; they were kept there till their " letters were ſent to Paris, and till returns could be " brought back, and were all the while upon free " coſt. The order that was conſtantly given them

" was,

" was, that if an Engliſh or Dutch ſhip came up " with them, they ſhould caſt their letters into the " ſea, but that they ſhould not do it when French " ſhips came up with them ; ſo they were looked on " by all on that coaſt, as the ſpies of France. They " uſed to get what information they could both of " merchant-ſhips, and of the ſhips of war that lay " in the Downs, and upon that they uſually went " over, and it happened that ſoon after ſome of thoſe " ſhips were taken. Theſe men, as they were Pa- " piſts, ſo they behaved themſelves inſolently, and " boaſted much of their power and credit.

" Complaints had been often made of them, but " they were always protected ; nor did it appear that " they ever brought any information of importance to " Harley but once, when, according to what they " ſwore, they told him, that Fourbin was gone from " Dunkirk, to lie in wait for the Ruſſia Fleet ; which " proved to be true ; he both went to watch for them, and " he took a great part of the fleet. Yet tho' this was " the ſingle piece of intelligence that they ever brought, " Harley took ſo little notice of it, that he gave no " advertiſement to the Admiralty concerning it. " This particular excepted, they only brought over " common news and the Paris Gazeteer. Theſe ex- " aminations laſted for ſome weeks : when they were " ended, a full report was made of them to the Houſe " of Lords, and they ordered the whole report, with " all the examinations, to be laid before the Queen, " in an addreſs in which they repreſented the neceſ- " ſity of making Gregg a public example ; upon which " he was executed. He continued to clear all other " perſons of any acceſſion to his crimes, of which he " ſeemed very ſenſible, and died much better than " he had lived."

The Account which WILLIAM GREGG *delivered to the Sheriffs of* London *and* Middleſex, *at the Place of Executon.*

THE crime I am now juſtly to ſuffer for, having made a noiſe in the world, a paper of a more than ordinary length will be expected from the criminal; who therefore takes this laſt opportunity to profeſs his utter abhorrence, and ſincere repentance of all his ſins againſt God, and the heinous crime committed againſt the Queen, whoſe forgiveneſs I moſt humbly implore; as I ſhall heartily pray for her Majeſty's long life and happy reign over her united people, and ſucceſs againſt her enemies, with my parting breath.

This being all the ſatisfaction I can poſſibly make her injured Majeſty, I declare, in the next place, the reparation I would make, were it in my power, to thoſe of her Majeſty's ſubjects I have wronged in any kind; and particularly the Right Honourable Robert Harley, Eſq; whoſe pardon I heartily beg, for baſely betraying my truſt; which declaration, though of itſelf ſufficient to clear the ſaid gentleman, yet for the ſake of thoſe, whom it was my misfortune not to be able to ſatisfy in my life-time, I do ſacredly proteſt, that as I ſhall anſwer it before the Judgment Seat of Chriſt, the gentleman aforeſaid was not privy to my writing to France, directly or indirectly; neither was I, his unworthy clerk, any ways acceſſary to the miſcarriage before Toulon, nor the loſſes by ſea; all which happened before the firſt of my letters, which was written on the 24th of October, 1707.

As for my creditors, as I am in no condition to ſatisfy them, ſo I earneſtly beg they would forgive me; and I pray to God to make up their loſſes to them ſeven-fold.

For

For my own Part, I do freely forgive all men, and die in perfect charity with them; not without humble hopes of finding forgiveneſs, through the Merits of Jeſus Chriſt, with God; who in mercy touched my conſcience ſo powerfully from the beginning, as to prevent my proſtituting the ſame to ſave my life; for which inſtance of his love, to be preferred before life itſelf, I bleſs and magnify his holy name, with unſpeakable joy and comfort, at my death; nothing near ſo ignominious as would have been ſuch a life.

After this confeſſion, the duty of a dying man leads me to profeſs the religion in which I was brought up, and do now die, which is the Proteſtant. The ſcandal given whereunto, by my enormous practices, cannot be better taken away, than by my publiſhing to the world, my hearty ſorrow for thoſe ſenſual pleaſures which have proved my bane. Wherefore let all that ſhall read this poor account, take warning by me, to ſhun the like youthful luſts; to which, whoever gives up himſelf, cannot tell how far they may, when indulged, carry him: even to the committing ſuch crimes, as he thought himſelf incapable of, ſome time before: of which ſad truth, I, to my woeful experience, am a malancholy inſtance, but at the ſame time, I appeal to the great God, before whom I am now going to appear, that notwithſtanding all the pains taken to make me out an old offender, by faſtening on me the crime of counterfeiting the coin; this is the firſt fault that ever I ventured upon, which was not out of any zeal for the Pretender, whom I not only diſown at my death, but ſolemnly declare, that in all my life, I never thought he had any right to theſe realms, how fooliſhly ſoever I may have rendered myſelf obnoxious in this particular: but the only motive of my mad undertaking, was money; of which I never received any, on account of the ſhip paſt, though I have

met with the more juſt reward of ſuch ſecret ſervices, intended by

W. GREGG.

Willliam Gregg was a man of parts, born at Montroſs, and brought up at the Univerſity of Aberdeen, in that part of Great-Britain, called Scotland, and had, for ſome years paſt, been employed in public affairs. He confeſſed, that he had formerly indulged himſelf in lewdneſs and other pleaſures, and that the expence attending thoſe ſinful ways, had brought him to poverty, and poverty had brought him to thoſe treaſonable practices, for which his life paid the forfeit.

Some Account of the Life and Trial of CHRISTOPHER SLAUGHTERFORD, *who was executed for the Murder of* JANE YOUNG.

THE unhappy ſubject of the following narrative was the ſon of a miller at Weſtbury-Green, in the county of Surry, who gave him a tolerable education, and when he was fourteen years of age, put him apprentice to Mr. Dyer of Godalmin for three years, at the end of which time he returned home, and having remained ſome time with his parents, he afterwards lived with ſeveral tradeſmen in different parts of the country, and behaved, on all occaſions, with the utmoſt integrity.

Having diſcharged his duty as a ſervant, he returned home to his relations, and, after ſome time, took a malt-houſe at Shalford in Surry, where he followed buſineſs with good ſucceſs for a conſiderable time, during which his aunt was his houſe-keeper, and

and by her frugal management, and his own induſtry he was in thriving circumſtances.

At length Mr. Slaughterford is ſaid to have courted one Jane Young, with a view to marry her; and ſhe having left her place, in order, as it was reported, to be married to him, and being ſeen in his company on the 5th of October, 1708, after which nothing was heard concerning her for a conſiderable time, he was ſuſpected to have deſtroyed her, and a warrant was iſſued to apprehend him, which coming to his knowledge, he went voluntarily and ſurrendered himſelf to Captain Booſhby, and Mr. Fulham, two juſtices of the peace, who diſcharged him.

About a month after this, the body of Jane Young was found, murdered, in a pond not far from Mr. Slaughterford's houſe; and he being threatened, went to juſtify himſelf before a juſtice of the peace, who committed him to the houſe of correction at Guildford, till the Satuarday following, when he was examined by the bench of juſtices who committed him for a week longer, and then ſent him to the Marſhalſea, from whence he was brought to his trial at the next Aſſizes at Kingſton, and acquitted.

Notwithſtanding this acquittal, the greater part of the neighbours thinking that he was guilty, partly from the evidence againſt him on his trial, and partly from ſome other circumſtances, they perſuaded the parents and relations of Jane Young to bring an appeal.

This girl's father being unable to bear the expence of bringing this appeal, the money for it was raiſed by ſubſcription, every one contributing what they choſe; ſo that a bill of appeal was exhibited againſt him in the name of Henry Young, brother to the deceaſed, and on the ſecond day of the following term, he was brought to his trial at the Queen's Bench bar, at Weſtminſter.

Elizabeth

Elizabeth Chapman, the miſtreſs of Jane Young depoſed, that when the young woman left her ſervice, ſhe ſaid ſhe was going to be married to the priſoner, that ſhe had purchaſed new cloaths on the occaſion, and ſaid ſhe was to meet him on the Sunday following. That this deponant ſome time afterwards enquired after Jane Young, and aſking if ſhe was married, was informed that ſhe had been ſeen in the company of Slaughterford, but no one could tell what was become of her ſince, and that he himſelf pretended to know nothing of her, but thought ſhe had been at home with Mrs. Chapman; which induced this deponent to believe that ſome miſchief had befalen her.

Several witneſſes depoſed to the familiarity ſubſiſting between the priſoner and Jane Young, to his going abroad with her under pretence of marrying her, and ſwore that he was ſeen in her company late on the night that the murder was committed.

Jane Young and the priſoner having met at a place called Sheer, about three miles from Guildford, the people of the houſe depoſed, that ſhe came thither on Sunday, and ſtayed for him till the Tueſday following, at which time Slaughterford came thither, went to dance in the neighbourhood, and then returned and lodged at the houſe, with the deſign, as theſe deponents imagined, of being married the next morning.

The maſter of this houſe depoſed, that he told the priſoner, if he had a mind to have the buſineſs ſoon over, and wanted a perſon to give her away, he would be father; but that Slaughterford ſeemed diſpleaſed with the offer, and ſoon afterwards ſet out towards Guildford on horſeback, and Jane Young followed him on foot.

It appeared, by the teſtimony of other witneſſes, that Slaughterford came to Guildford on the day of the Mayor's feaſt, which he went to, and that the deceaſed

deceaſed waited for him at a Tailor's houſe in the town, being, as ſhe imagined to be married to him the next morning; that about 12 o'clock at night he called on her, and aſked her to go home with him, and they went away together.

Another evidence depoſed that about three o'clock in the morning he met a man and a woman on Shalford-common, about a quarter of a mile from the place where the body was found; that the man had light-coloured cloaths on, as it appeared the priſoner had that day; and that as he paſſed by, he ſpoke to the man, whom, from his voice, he did believe to be Slaughterford: ſome little time after he was paſſed he heard a great cry, like the ſhrieking of a woman's voice.

A man depoſed, that having ſome buſineſs by the ſide of the pond, he ſaw ſome of a woman's cloaths above the water, and reaching at it with his ſtick, pulled up ſomething like an arm; and then calling for aſſiſtance, they got out the body, and many of the country people coming to ſee it, knew it to be that of Jane Young.

A ſurgeon, who examined the body, declared upon oath, that he found three wounds in the head of the deceaſed which reached the ſkull, and one in the nape of the neck.

A woman depoſed, that after the deceaſed was miſſing, ſhe aſked Slaughterford what was become of his whore; to which he replied, "I have put her off: "do you know of any girl that has any money your "way? I have got the way of putting them off now."

Another woman depoſed, that before the diſcovery of the murder, ſhe ſaid to Mr. Slaughterford, "What "if Jane Young ſhould lay ſuch a child to you as "mine is here?" at which he ſighed, and ſaid, "It "is now impoſſible;" and cried till the tears ran down his cheeks.

Slaugh-

Slaughterford's ſervant depoſed, that going to his maſter's houſe to work that morning, about three o'clock, he found him there, and that he ſaid he had been up all night: and other evidences ſwore that while Mr. Slaughterford was in the jail, he ſaid he ſhould not have been there, if it had not been for his aunt.

This was the whole evidence againſt the priſoner, who denied the fact, and in his defence ſaid, that on the 29th of September he hired Jane young as his ſervant, contracting with her for forty ſhillings a year; and that ſhe promiſed to come to his houſe on the Saturday or Monday following; but that having been informed that ~~is~~ his aunt was of an avaritious diſpoſition, ſhe came to a farmer's houſe in Shalford, and, ſending for him, told him that ſhe would not ſtand to her agreement, unleſs his aunt went away, ſaying, ſhe would ſtay at an acquaintance of hers till ſhe had his anſwer: that accordingly, on the Tueſday following, he went to Robert Sherlock's at Sheer, where ſhe was, and called her to the door, told her, that his aunt would not leave him till he was provided with a good ſervant.

Hereupon ſhe told him, ſhe would return to her old miſtreſs at Alford; but ſome young people ſtaying at Sheer to be merry, he ſtaid all night with them, and the next morning, the 6th of October, went with one Richard Carpenter, of Churley, from thence, which was the laſt time of his being in her company; and going homewards, called at Lord Onſlow's for a pocket-book he had left there, and then went afterwards to one Thomas Collet's of Alberry, but finding nobody at home, he went directly to his own houſe, and having put up his horſe, his aunt told him he was invited to the Mayor's feaſt, but he muſt firſt ſend two ſacks of malt into the country, which he accordingly put up, and going to ſee for a team to carry it, he ſaw three women coming down a cauſeway

a cauſeway, and one of them going into one Bowton's, a Taylor's, he followed her, and aſking the boy if his maſter was gone to the Mayor's feaſt, he ſaid, yes; whereupon he went away, ſaying to the woman who was a ſtranger to him, "How do you "do, dame?" the other two women waiting not far off for their companion.

As he came out of the houſe, he met with a team, which carried the malt for him, and then he went to the Mayor's feaſt, where he ſtaid till between one and two o'clock in the morning, then went home to bed, but ſaw nothing of Jane Young ſince he parted from her at the White horſe at Sheer.

His aunt, and a kinſman (a boy) depoſed, that he lay at home all that night; but the Jury ſeemed not ſatisfied with their evidence. He called ſeveral to his reputation, but that did not avail him: and what they ſaid being contradicted by the evidence on the other ſide, he was found guilty, received ſentence of death, and was remanded back to the Marſhalſea; where, while he lay under condemnation, he was viſited by ſeveral miniſters, who laboured to bring him to a confeſſion of the fact, but he could by no means be induced thereto.

He ſolemnly declared, that he never made courtſhip to Jane Young, complaining that one who viſited him often during his confinement in the Marſhalſea, pretending much friendſhip to him, did him great injuſtice, and reflected on the unkindneſs and barbarity of his man J. L. and that he feared that one Mr. B. W. had conceived a ſpleen againſt his father as one J. W. had againſt his uncle, which they not being able to vent upon them, had extended their malice againſt him, ſo as to ſuborn witneſſes to ſwear againſt him, but he freely forgave them. His mother alſo and friends came to ſee him, but could by no means get him to confeſs the fact.

On Friday about 10 o'clock, he was carried from the Marſhalſea to Guildford, where ſeveral divines came to viſit him, but none of them could bring him to own he was guilty of the murder. He obtained a reprieve from Wedneſday till Saturday; the Mayor of Guildford going to him, acquainted him he muſt expect no longer time, and alſo gave him good advice, but by no means could get him to confeſs the fact. He deſired that Mr. Woodroff, a miniſter in that town ſhould be ſent for; which gave room to expect he would ſay ſomething as to the fact; but what he ſaid was rather of a contrary nature, tending to juſtify himſelf.

Being led to the gibbet, the only requeſt he had to make was to the executioner, that he might throw himſelf off; and they were almoſt the only words he uttered there, for being tied up, before the executioner could deſcend to do the reſt of his office, he had ſwung himſelf off. He delivered the following paper to the Sheriff.

Guildford, July 9, 1709.

"I being brought here to die, according to the "ſentence paſſed upon me at the Queen's Bench Bar, "for a crime of which I am wholly innocent, thought "myſelf obliged to let the world know, that they may "not reflect on my friends and relations, whom I "have left behind me much troubled for my fatal end, "that I know nothing of the death of Mrs. Jane "Young, nor how ſhe came by her death, directly "or indirectly, though ſome have pleaſed to caſt "reflections on my aunt. However, I freely for-"give all my enemies, and pray to God to give them "a due ſenſe of their errors, and in his due time to "bring the truth to light. In the mean time I beg "every one to forbear reflecting on my dear mother, "or any of my relations, for my unjuſt and unhap-"py fall, ſince what I have here ſet down is truth,

"and

" and nothing but truth, as I expect ſalvation at " the hands of Almighty God; but I am heartily " ſorry that I ſhould be the cauſe of perſuading her " to leave her dame, which is all that troubles me, " as witneſs my hand, this 9th day of July."

Thus we ſee that this unhappy man, to the very laſt moment of his life, denied his being guilty of the crime for which he ſuffered; and though the evidence againſt him was much ſtronger than that on which many a perſon has been convicted, yet as this evidence was but circumſtantial, we ought in charity to believe that he was innocent, and that the death of the young woman aroſe from ſome undiſcovered cauſe; for it is a dreadful thing to think of a man's ruſhing into the preſence of his creator, with a wilful lie in his mouth!

The Trials of DANIEL DAMAREE, FRANCIS WILLIS, *and* GEORGE PURCHASE, *for High Treaſon.*

AT the ſeſſions held at the Old Bailey, on Thurſday the 19th of April, 1710, *Daniel Damaree*, a Waterman, was indicted for high treaſon, for that he, on the 1ſt of March preceeding, in the pariſh of St. Clement's Danes, did, with a great multitude of men, to the number of five hundred, armed with ſwords and clubs, raiſe and levy public war againſt the queen.

The council for the Queen having opened the charge, Mr. Talboy depoſed, that going through the Temple, he ſaw there ſome thouſands of people,

who had attended Dr. Sacheverell from Weſtminſter-Hall: that ſome of them ſaid they would pull down Dr. Burgeſs's Meeting-houſe that night; others were for pulling it down the following night; and a third ſort, not till they had ſeen the event of Dr. Sacheverell's trial: that they all agreed in the deſign, though they differed as to the time of carrying it into execution, which, however, happened on the following night, which was the firſt of March.

Captain Oriil depoſed, that about ten o'clock at night, on the firſt of March, he was at Leonard's Coffee-houſe, when news was arrived that the mob had pulled down Dr. Burgeſs's Meeting-houſe; whereupon he reſolved to go about amongſt them, in order to do what ſervice he could to the government, by making diſcoveries, &c.—That the firſt place he went to was Mr. Bradbury's Meeting-houſe in Fetter-Lane, which the people were then rifling, and they obliged him to pull off his hat: that at about half an hour after ten o'clock, he went into Lincoln's-Inn Fields, where there was a bonfire made of a part of the materials of Dr. Burgeſs's Meeting-houſe; and at a diſtance from him he obſerved a part of the mob headed by a tall man, whom he went and ſpoke to, and found him to be the priſoner, with the Queen's coat and badge on: that he ſaw the priſoner twirl his hat, and cry "D—n it, I'll lead you on; G—d "d—n me we will have all the Meeting houſes down; "I'll lead you on; High Church and Sacheverell, "huzza!"

He likewiſe depoſed, that the part of the mob which was headed by the priſoner, were divided in their opinons where to go next: that ſome of them were for going to the Meeting-houſe in Wild-ſtreet, which others objected to, ſaying, that was a hen-rooſt, and propoſed to go in Drury-Lane, for the meeting there was worth ten of that in Wild-ſtreet: on which they all agreed to go to Drury-Lane, and

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the mob not being ſo quick as their leader, he cried out, " D—n you, why dont you come along ? High-" Church and Sacheverell, huzza ?"—After which, this evidence ſaw him no more.

Joſeph Collier depoſed, that about 9 o'clock at night he ſaw the priſoner bring the braſs ſconce out of Dr. Burgeſs's meeting-houſe, and carry it to the fire in Lincoln's Inn Fields, and having walked round the fire, in a kind of proceſſion, huzzaing with the mob " High Church and Sacheverell," then flung it in. This evidence ſwore poſitively to the priſoner, ſaying he was one of the principal perſons in exciting the mob, had been there about two hours, and went away with a great number of perſons to Drury-Lane, juſt before the guards came up ; and ſeveral other evidences depoſed to the ſame effect.

The priſoner pleaded in his own defence, that he was not the perſon, ſaying that he had been drinking from nine o'clok in the morning till ten at night, at which time he was very much intoxicated.

In favour of the priſoner, one Wood depoſed, that he was drinking with him at a public houſe in Water-lane, about ten at night, when news being brought that there was a fire in the Strand, the priſoner ſaid that there was a lady lived there who uſed to buy coals of him, and he would go and help her ; that they immediately went to Temple-bar, ſtopping no where by the way, but were there ſtopped and forced by the croud through Shire-lane into Lincoln's-inn-ſquare, and from thence into Lincoln's-inn-fields ; that againſt the wicket in Duke-ſtreet, the mob ſeeing the priſoner in the Queen's cloaths, catched him by the cravet, and threatened to daſh out his brains if he would not go with them ; and that as the mob laid hold of him, this deponent left him and went home.

The maſter of the public houſe in Water-lane depoſed, that the priſoner went from his houſe much

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in liquor, a little after ten o'clock: but being aſked if any news of a fire was brought to his houſe, he ſaid there was not.

Several other witneſſes were called in behalf of the priſoner, but as they contracted each other in ſeveral particulars, and in others confirmed the teſtimony of the witneſſes for the Queen, the jury, after being out of court a ſhort time, found him guilty of high-treaſon.

FRANCIS WILLIS, of St. Clement's Danes, was indicted for High Treaſon, for he on the firſt of March preceeding, with a great number of people, with ſwords and clubs, did levy public war againſt the Queen.

The firſt evidence was Mr Talboy, who depoſed as on the former trial, to prove the intention of the mob in the Temple to pull down Dr. Burgeſs's Meeting-houſe.

John Lunt depoſed, that ſtanding at the door of his own houſe, about 11 o'clock at night, on the firſt of March, when the bon-fire was in Hatton-garden he heard the priſoner ſay, that the mob had made him captain that night, and gave him a window curtain of Mr. Bradley's Meeting houſe for an enſign: that he diſplayed it, and burnt a clock.

William Grove depoſed, that about ten at night in Holborn, at the bonfire that was made with the utenſils taken out of Mr. Bradbury's Meeting-houſe, he ſaw a footman with a pole, and a curtain upon it, and that he cried, High-Church Standard; that he, with the mob, ſtepped up to coaches, and got money, and cried, High church: and he being aſked whether the priſoner was the man, replied, he believed he was, but could not be poſitive, for he was ſo altered by different cloaths that he did not look like the ſame man. Being aſked what cloathes he had on, he ſaid either blue or green, he could not tell which,

which. Being aſked whether he ſaw that man in Newgate that wav'd the curtain? he replied he did: and one of the turnkeys of Newgate being ſworn, was aſked by the court whether the priſoner at the bar was the ſame perſon that he ſhewed Mr. Grove in Newgate? and he replied it was the ſame.

Mr. Lunt being aſked whether the priſoner at the bar was the ſame perſon who told him he had been made captain of the mob that night and carried the colours? replied he was, for he knew him before: but the council moved that what he ſaid to Luut was not to be made uſe of againſt him.

Then the court ordered the ſtatute of the 7th of K. William to be read, which ſays expreſly that no perſon, after that time, ſhall be convicted of high-treaſon, but upon the oath of two witneſſes, unleſs he ſhall confeſs the ſame in open Court.

The next witneſs was Captain Orril, who could not ſay any thing in particular againſt the priſoner, but proved the general deſign of pulling down the Meeting-houſe.

The priſoner made a long defence; and the Queen's evidence not being ſufficient to convict him, he was acquitted.

GEORGE PURCHASE was indicted for high-treaſon, for that he, with a great multitude of people armed, did, on the firſt day of March preceeding, levy war againſt the Queen.

Captain Orril depoſed, that after he had been ſeveral times at Dr. Burgeſs's Meeting-houſe, and ſeen that demoliſhed, and the fire in Linclon's-inn-fields made with ſome of the utenſils thereof, he met a detachment of the Queen's guards, and directed them to go to Drury-lane; that when he with the guards came thither, he ſaw a bonfire made with the pews, and other utenſils thereof, with a great mob about it, who were diſperſed by the guards: that he there

there ſaw the priſoner under a bulk, who, with a drawn ſword, which he held in his hand, puſhed ſeveral times at the breaſt of the horſes to keep them of: that the priſoner being then driven from that place, went a ſmall diſtance off to the end of Long-acre; that this evidence then went to the priſoner, and aſked him what he meant, telling him that in oppoſing the guard he oppoſed the Queen, and would have perſuaded him to put up his ſword, and go home; but inſtead of taking this advice, he replied, "D—n you, who are you? for High-Church "and Sacheverell or no? I am G—d d—n them all," meaning the guards, "for I am as good a man as "any of them all:" that he then called to the mob, "Come on, come on boys; I'll lead you on, I am "for High-Church and Sacheverell, and I'll looſe "my life in the cauſe."

Captain Orril farther depoſed, that after this the priſoner ran reſolutely with his ſword in his hand, and made a full paſs at the officer who commanded the guards; and if one of the guards had not given a ſpring and beat down his ſword, he would have run the officer through the left flank: that the priſoner now retired a little lower, and, the guards had by this time diſperſed the mob, having knocked down forty or fifty of them in the action: and as this witneſs was going away, he heard ſome of the mob ſay, that they would be even with the guards to-morrow night, for they did not dare to fire upon them.

Richard Ruſſel, one of the guards, depoſed, that they were ordered by the ſerjeant to march into Drury-Lane, and to return their bayonets and draw their ſwords; that when they came to Drury-lane, there was a bonfire with a large mob about it; that near the fire the horſe were all drawn up into one line, with their tails againſt the wall, that none of the mob might come behind him: that the priſoner then ſtood in the middle of the lane, huzzaing and came

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up and would have thruſt himſelf between the horſes but was beaten off with the flats of their ſwords: that then the guards wheeled about the fire, and the priſoner came up at the head of the mob, and cried "D—n you, who are you for? whether for High-"Church or Low-Church, or Dr. Sacheverell?" and this was about a quarter of an hour before the mob was diſperſed.

Mr. Sutherland, an officer who drew up the grenadiers, depoſed, that he ſaw the priſoner ſeveral times at the bonfire in Drury-lane; and obſerved him flouriſh his drawn ſword, and cry out that he was for Sacheverell: that this deponent went up to him and ſaid, "Sir, are you encouraging the mob?" To which the priſoner replied, that he was for Sacheverell: that then this evidence went to Captain Horſey, to inform him of the priſoner's behaviour, and received orders from the captain to cut him to pieces; but the priſoner had then made off.

George Richardſon depoſed, that he knew the priſoner, having been with him in Flanders: that on the firſt of March, about ten o'clock at night, the guards marched from St. James's to Lincoln's-Inn-fields, where they quelled the mob, and then went into Drury-lane, where he ſaw the priſoner make a thruſt at Captain Hanſberg, and ſaid to him, "Do you in-"tend to kill my officer?" Then with his ſword he ſtruck down the priſoner's point; upon which the priſoner retired under a pent-houſe, and this evidence rid up to him, with a deſign to cut him down, but was prevented by his ſword breaking as it was lifted up againſt the pent-houſe. Being aſked whether the priſoner knew Captain Hanſberg, he replied he did, for he was abroad with him in Flanders.

The priſoner in his defence produced ſeveral witneſſes that he had been drinking from 9 o'clock in the morning till 10 at night; at which time he came from the Croſs Keys Tavern in Covent-Garden with Mr.

Broad the bailiff, who depoſed, that he left him very much in liquor, and, as he thought, going to his own houſe.

There was nothing in the whole evidence for the priſoner, that contradicted what was ſworn by the Queen's evidence; ſo that after the Lord Chief Juſtice Parker had ſummed up the evidence on both ſides, the jury went out, and returned in about four hours well ſatisfied with the proof of the facts, but not as to the points of law, and therefore brought in their verdict ſpecial.

The Trial and Behaviour of CHARLES DEAN, *condemned for Burglary.*

AT the ſeſſions held at the Old Bailey on the 9th of September, 1710, *Charles Dean* was indicted for breaking open the dwelling-houſe of John Stone, at Shepperton, near Hampton Court, in the night of the 7th of June preceeding, with intention to ſteal the goods, chattels, and money of the ſaid John Stone.

The evidence depoſed, that on the 7th of June, about twelve at night, the houſe was broke open, and the priſoner, with one Crouch, entered the proſecutor's chamber, where he and his wife were in bed together; and ſhe going to cry out, Dean threatened to ſtab her, but ſhe deſiſting, he bound her. Then Mr. Stone got out of bed, and the priſoner and the other dragged him out of the room, aſſaulting him after a very violent manner, and with an iron crow broke his ſkull in divers places, ſo that his life was deſpaired of: that the priſoner was ſeen by divers of the family, who knew him, and were poſitive he was the man: the day coming on, and for fear of being appre-

apprehended, they went away without taking any thing, leaving behind a pair of ſhoes, hat and wig: that when they were gone, it was found that an entry was made in the brick-wall where the ſink was, with an iron crow they had with them.

Beſides this poſitive evidence, it was alſo depoſed, than the priſoner was ſeen at Brentford by three o'clock that morning without a wig, hat, or ſhoes, and pretended he had met with thieves, who took them from him, and he deſired the perſon he met to give him a pair of ſhoes; and the evidence was poſitive that the priſoner was the man to whom he had given the ſhoes.

The priſoner, in his defence, denied the fact, and endeavoured to prove he was at London at the time the fact was committed; but the evidence ſwearing ſo poſitively againſt him, it bore ſo little weight with the jury, that they found him guilty of the indictment, and he received ſentence of death.

While he lay under condemnation, he told the Ordinary, he was twenty ſix years of age, born of good parents in the county of Montgomery in Wales, and brought up to the law in London, where he had lived from his youth; that he was for ſome time an attorney's clerk, and for the laſt two years had kept chambers in the Temple, and done buſineſs for himſelf.

Application was made for a reprieve and pardon, but none could be obtained, it being ſuppoſed, that he having lived extravagantly, had reduced himſelf, and therefore committed this fact on Mr. Stone, his relation, after whoſe death an eſtate was to come to himſelf. He declared himſelf a Roman Catholic, and therefore declined making any confeſſion to the Ordinary, having prieſts of his own perſuaſion to attend him.

When he came to the place of execution, he peremptorily denied his being guilty of the fact, or

that he was in the houſe at that time; and ſaid that neither was Mr. Crouch there, who then ſtood committed for the ſame fact.

He was executed on the 16th of September 1710.

Though Mr. John Crouch was in cuſtody at the time of the trial of Charles Dean, upon account of the ſame fact, yet his trial was deferred till it was ſeen whether Stone would live or die, his wound being thought to be mortal; that he might not only be tried for the burglary, but alſo for the murder; and Mr. Stone, dying the 2d of October, Crouch took his trial as follows.

The Trial and Acquittal of JOHN CROUCH, *charged with the Murder of Mr.* STONE.

ON the 13th of October, 1710, *John Crouch* was indicted at the Old Bailey, for breaking open the dwelling-houſe of Mr. John Stone, at Shepperton, the 7th of June preceding, with intent to ſteal his goods, money, &c.

He was likewiſe indicted a ſecond time for the murder of Mr. Stone, by giving him a mortal wound on the hinder part of his head, of which he languiſhed till the 2d of that inſtant October, and then died.

The firſt evidence was Mrs. Stone, wife of the deceaſed, who depoſed, that between one and two o'clock that morning, their houſe was broke open, and one Dean, who had been tried the laſt ſeſſions, and executed for the burglary, came into her chamber, with another perſon; that Dean bound her in her bed, and the other dragged out her huſband and took him down ſtairs; that while they were down ſtairs

ſtairs, the daughter came to her, and told her that her father was murdered; that ſhe getting herſelf untied, got out of bed, and went down to her huſband, where ſhe found him in a deplorable condition, and that he told her Crouch had murdered him; that the priſoner and Dean had made off, leaving a hat, wig, and a pair of ſhoes behind them.

Mrs. Stone being aſked by the court, whether ſhe knew the man who came into the chamber with Dean, anſwered that ſhe did not know him, nor could ſwear that the priſoner was the perſon; nor did any part of the evidence affect the priſoner, ſaving an affidavit of Mr. Stone, deceaſed, wherein was mentioned expreſsly that the priſoner was the perſon who gave him the wounds, and that he knew it to be him by his voice. Several ſurgeons depoſed, that the wounds he had received were the cauſe of his death.

The priſoner, in his defence, produced nine very ſubſtantial witneſſes, who proved he was at London at the time the fact was committed; and ſo punctual were they in their evidences, and they proved where he was the night before the murder was done, and where he was all day the 7th of June; but the moſt material circumſtances, and in which they all agreed, was, this being at a feaſt at the Coventry-Croſs near Stepney that very night, and continued there all night long, and was not from ſome of the company till eleven o'clock on Thurſday night. Upon the whole, the jury having conſidered the matter, acquitted him.

The Trial and remarkable Confeſſion of THOMAS MARS, *condemned for Burglary.*

ON the 7th of December 1710, *Thomas Curdley*, otherwiſe *Crudleigh*, otherwiſe *Thomas Mars*, (which was his right name) was indicted at the Old

Old Bailey, together with *Henery Norris*, for breaking openthe dwelling-houſe of Henry Hubbert of Hampſtead, in the night-time, and ſtealing a bell metal pottage-pot, ſeveral ducks, and a gooſe and gander, the property of the ſaid Henry Hubbert.

They were alſo indicted a ſecond time, for breaking open the houſes of George Man, in the night-time, and taking from thence a copper, and other things, the goods of the ſaid George Man, on the 30th of November.

In the courſe of the evidence it appeared, that both the proſecutors houſes had been broke open, and the goods ſtolen; and George Man depoſed, that hearing a noiſe in his houſe, he roſe, got help, and purſued the priſoners; that in his purſuit he heard a noiſe under a hedge, and when they came up to it, found the priſoners with the goods; that they were very reſolute, and fired piſtols at him and his company, but miſſing them, they apprehended them. The facts being thus plainly proved, and the priſoners having nothing material to ſay in their defence, the jury found them both guilty.

Thomas Mars, when under condemnation, gave the Ordinary the following account: That he was thirty-two years of age, and born near Shrewſbury; that about fourteen years ago he came up to London, and ſerved an apprenticeſhip to a maſon who was a freeman, and worked at his trade for ſome time, but leaving off work, and addicting himſelf to looſe and wicked courſes, he was, in March 1704, convicted at the Old Bailey, for ſtealing 200 pounds of lead, belonging to the Cathedral of St. Paul, for which fact he was whipped round the ſaid church; which correction did not reform him; for in December 1705, he was arraigned at the Old Bailey for breaking the mills of Mr. Hugh Merchant, and taking thence 322 pounds of iron, and two braſs barrels; for which he was fined 20l, and to lay in Newgate till the fine, which

which he could not then pay, was remitted, which was in the month of May following: that then, being diſcharged out of Newgate, he enliſted himſelf as a ſoldier in the ſecond battalion of foot guards, under the command of General Holmes. He confeſſed the fact he ſtood condemned for, acknowledged he had been a very great and incorrigible ſinner, and found, by his own woful experience, that one ſin, willfully committed, eaſily draws on another, and that more; and a man cannot tell when or where to ſtop, till it ends at laſt in a ſad and ſhameful death.

At the place of execution, he thus addreſſed himſelf to the ſpectators: "I deſired you would all take "warning by me, and repent while it is called to day, "and remember your Creator in the days of your "youth, that you may not come to ſo ſhameful an "end. There are, I know, a great many offenders "here, but I need not name them; I wiſh they may "all repent in time, and that all good people here "would pray for me. I aſk their pardons whom I "have offended, and I declare I die in charity with "all men, and I wiſh I could make amends to the "perſons injured by me."

He delivered a paper to the Ordinary, which, for reaſons beſt known to himſelf, he did not think proper to print; he gave alſo the ſame to other perſons, which contained what he had before declared, with much concern of mind, to Mr. Reuſe, and ſome other perſons; the ſubſtance of which is as follows:

That he and another known by the name of Black Robin, did, on the 7th of June before, by the help of an iron crow, break in through the brick-work at the ſink-hole of the dwelling-houſe of Mr. John Stone at Shepperton; and that having got him down ſtairs, Mr. Stone being a luſty and ſtrong man, ſeized on a muſket to defend himſelf, ſo that there was a ſcuffle between them; but that he ſtruck him on the head with the iron crow, which wound proved mortal; and that

that the buſtle between them having alarmed the family, and it then growing day, they thought it beſt to make off; and he having, at his firſt enterance, put off his ſhoes to prevent noiſe, and loſt his hat and wig in the ſcuffle, went away in the hurry without them, and begged others at Brentford, ſaying, he had met with thieves who had robbed him of them.

He poſitively and ſolemnly declared, that himſelf and Black Robin were the only perſons that committed that fact, and that Mr. Charles Dean, who had been executed for it; and Mr. John Crouch who had alſo been tried for it, were not at all concerned in it; and that he was heartily grieved that he had actually murdered Mr. Stone, and eventually Mr. Dean, for which he heartily begged pardon of God and man.

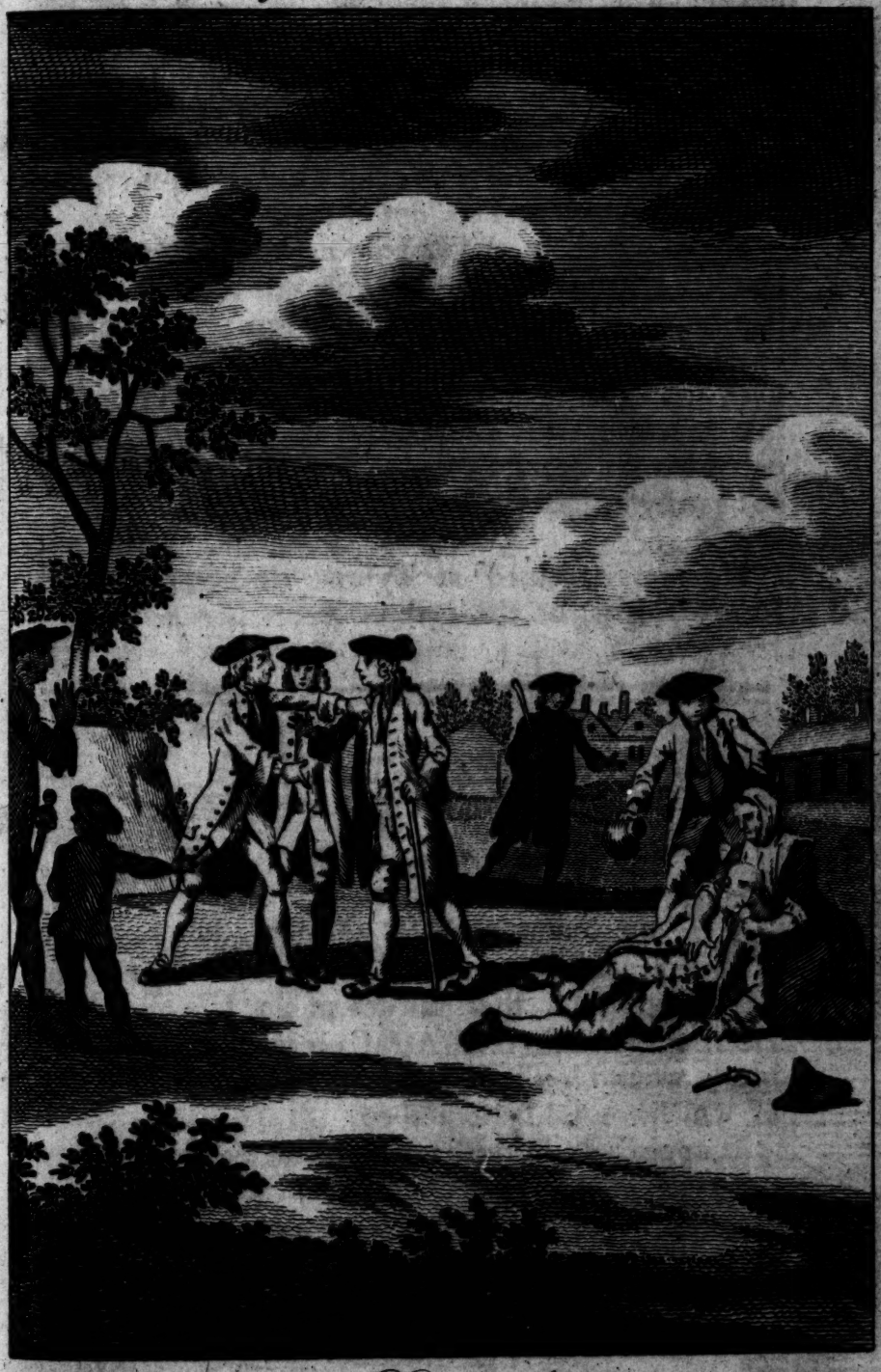
He was executed at Tyburn, in company with Henry Norris, on the 15th of December 1710.

The Trial of RICHARD THORNHILL, *Eſquire, for the Murder of Sir* CHOLMONDELEY DEERING *in a Duel.*

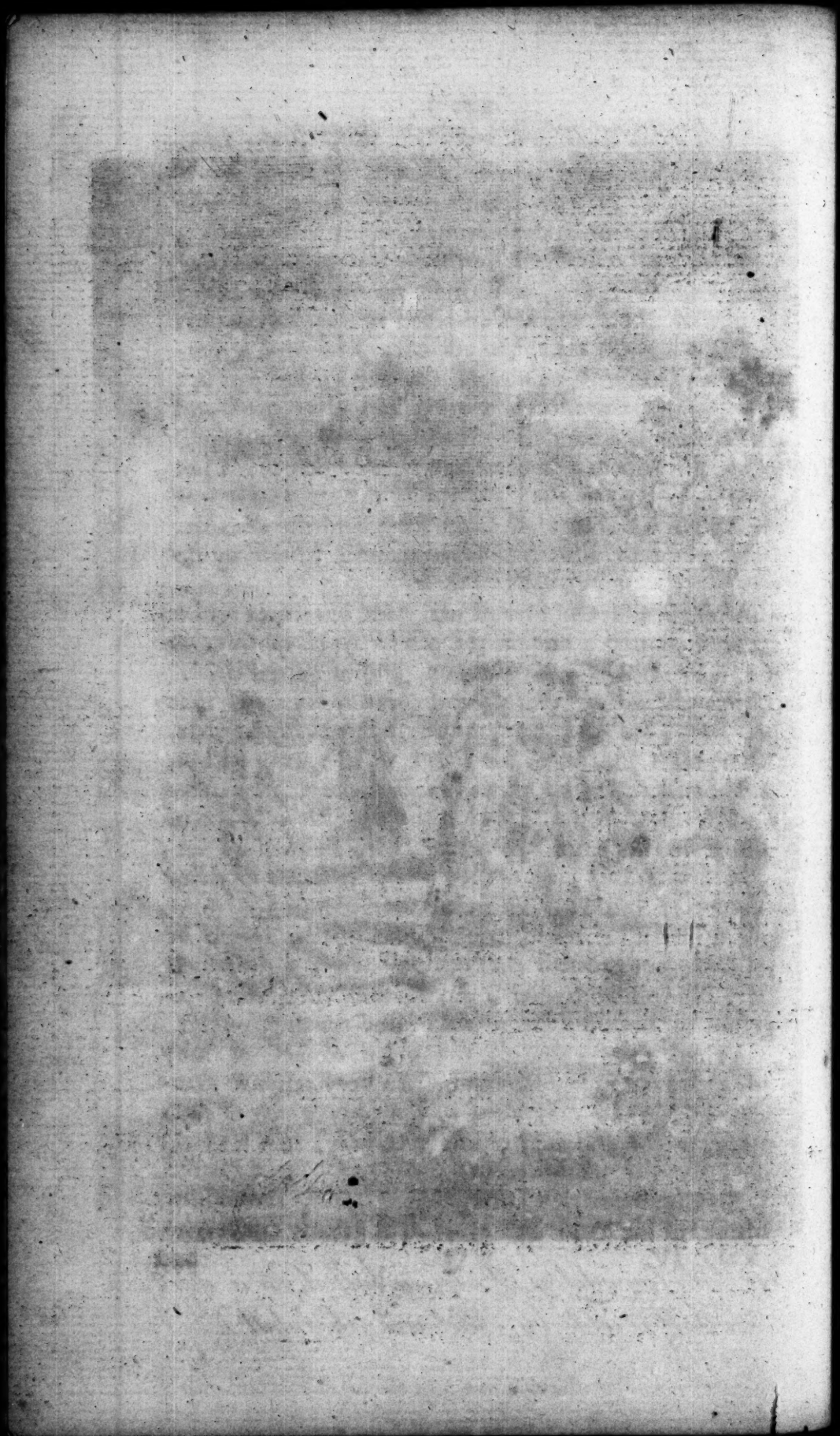
AT the ſeſſions held at the Old Bailey, on the 18th of May 1711, *Richard Thornhill*, Eſq. was indicted for the murder of Sir Cholmondeley Deering, on the 9th of April preceeding, by giving him a wound with a leaden bullet under the left pap, of which wound he ſoon died,

It appeared, in the courſe of the evidence that on the 7th of of April Mr. Thornhill, Sir Cholmondeley Deering, and ſeveral other gentlemen, being together at the Toy at Hampton-court, a quarrel aroſe between Sir Cholmondeley and Mr. Thornhill, on which

Engraved for the Tyburn Chronicle.



Sir Cholmondeley Dearing killed in a duel in Tothill Fields by Richard Thornhill Esqr.



which the former gave the latter a blow on the face, and a ſcuffle enſuing, the wainſcot of the room broke in, and Mr. Thornhill falling down, Sir Cholmondeley ſtamped upon him and ſtruck out ſeveral of his teeth: that thereupon the company interpoſed, to prevent farther miſchief, and Sir Cholomondeley being convinced of the impropriety of his behaviour, declared himſelf willing to aſk Mr. Thornhill's pardon; but Thornhill replied, that aſking pardon was not a proper retaliation for the injury he had received, and ſaid, "Sir Cholmondeley you know were to find me;" to which the other made anſwer, that it was a lie. Not long after this the company broke up, and it was remarked, that Sir Cholmondeley and the priſoner went home in different coaches, and where by no means reconciled to each other.

After this, Sir Cholmondeley made overtures for an accommodation; but on the 9th of April he went to the coffee houſe at Kenſington. and enquired if Mr. Thornhill lodged there, and was anſwered that he had, but did not then; having found Mr. Thornhill's lodgings, he aſked if he was within, and being told that he was in bed, he immediately went up ſtairs into the dining-room, with a brace of piſtols in his hand, on which Mr. Thornhill's ſervant acquainted his maſter that Sir Cholmondeley was there, and Mr. Thornhill ſoon coming to him, aſked him if he would drink a diſh of tea, which he refuſed, but drank a glaſs of ſmall beer; after which Mr. Thornhill dreſſed himſelf, and they went together to Tothill fields in a hackney-coach.

When they came to the place of action, they advanced towards each other, in a very reſolute manner, and when they were within four yards of each other, diſcharged their piſtols ſo equally, that it could not be known who fired firſt.

Sir Cholmondeley falling, Mr. Thornhill ran to him, lifting up his hands and eyes, as if greatly concerned.

and was then going away, but a perſon ſtopped him and telling him he had killed a man, ſaid he would take him before Juſtice Croſs, who was a gentleman, and would treat him as ſuch. Hereupon Mr. Thornhill ſaid he would go with him where he pleaſed; for that he was only going to ſeek for his friends. By this time ſeveral perſons having gathered about the place, Mr. Thornhill deſired that no time might be loſt in procuring the aſſiſtance of a ſurgeon, and offered one perſon a guinea, and gave another half a guinea for that purpoſe: he likewiſe expreſſed the utmoſt ſorrow for what had happened "ſaying he had "rather have loſt his right arm."

A woman obſerved Sir Cholmondeley lying upon the ground, reared up his head, and finding that he was very faint with the loſs of blood, gave him ſomething to drink, and then aſked him how he came to be wounded, to which he anſwered "A challenge."

At length a ſurgeon came, and would have bled him, but Sir Cholmondeley ſaid he had loſt blood enough already; whereupon the ſurgeon dreſſed his wounds, and being put into a chair, he was carried to the houſe of a gardener in the neighbourhood, where the ſurgeon took from him ſix or ſeven ounces of blood, gave him cordials, and dreſſed his wounds again.

A brother-in-law of Sir Cholmondeley attending the trial, the council for the Queen aſked him how he came by a paper,* directed to that gentleman: to which he replied, that his concern at the time was ſo great, that he could give no account of the

* This paper, which was read in court, is as follows:

SIR, April 8, 1711.

"I ſhall be able to go abroad to-morrow morning, and deſire "you will give me a meeting with your ſword and piſtols, which "I inſiſt on: the worthy gentleman who brings you this, will "concert with you for the time and place. I think Tothil-

paper,

paper, than that he received it among ſeveral others which were thrown into his hat, in the room where his brother-in law died, and which he ſuppoſed were taken out of his pocket, but whether before or after his death he could not ſay.

In the courſe of his defence Mr. Thornhill brought ſeveral witneſſes to prove how ill he had been uſed by Sir Cholmondeley; that from the time of his being hurt at Hampton Court, he had lain in the utmoſt anguiſh, and for near a fortnight, could take no other ſuſtenance than broth and ſmall beer; that the pain he underwent was ſo ſevere as to occaſion a fever during which his life was deſpaired of; that he was under a neceſſity of looſing more of his teeth, and that his jaw-bone was in great danger of mortifying; that Sir Cholmondeley did come to his houſe, in the manner depoſed by the evidence; and he hoped that no ſtreſs would be laid on what the boy had ſworn reſpecting his hand-writing. ſince he had acknowledged in court that he never ſaw him write in his life.

He called many perſons of quality and credit to his character, who teſtified that he was a good-natured, well-behaved gentleman, and not in the leaſt diſpoſed to quarrelling; whereas the deceaſed was apt to quarrel on all occaſions: that till the fatal diſpute at Hampton-court, the utmoſt friendſhip had ſubſiſted between Mr. Thornhill and Sir Cholmondeley, and the former had ſpent ſeveral hundred pounds in procuring votes for the election of the latter into Parliament.

" fields will do well; Hyde-Park will not at this time of the " year, being full of company.

" I am,

" Your humble Servant,

" RICHARD THORNHILL."

N. B. Mr. Thornhill's ſervant depoſed, that he believed this letter to be his maſter's hand-writing.

Sir Thomas Robinſon depoſed, that he was at Hampton-Court at the time of the Quarrel, and that ſoon afterwards he heard that Sir Cholmondeley was diſpoſed to have accommodated the difference; but meeting that gentleman at the play, he (Sir Cholmondeley) aſked this deponent if he had lately heard any thing of Mr. Thornhill, for that he had ſent to him, but could never received any anſwer, and therefore thought he ſtill reſented the affair: that this evidence replied to Sir Cholmondeley, "You know that "beſt;" and the other anſwered, "If Mr. Thornhill "required ſatisfaction, he was ready to give it, and "the ſooner the better."

Sir Thomas being aſked by the council reſpecting his acquaintance with the priſoner, and whether he knew his hand-writing, replied, that he had been a ſchool-fellow with him at Weſtminſter, had known him twenty years, and having kept up a correſpondence with him, had received many letters from him: being ſhewn the challenge, he ſaid he did not believe it was Mr. Thornhill's writing, for he uſed to write his name in ſmaller letters; but he could not ſwear whether it was his hand or not.

Mr. Thornhill's ſurgeon depoſed, that the hurt he received at Hampton-Court was of a very dangerous nature, that he had a high fever in conſequence of it, and if he had not been of a ſtrong conſtitution, it might have coſt him his life.

Two women who attended Mr. Thornhill depoſed, that for ſome time he received no nouriſhment but by liquids; and that the operations which were neceſſary to perfect his cure, were purpoſely deferred, that he might be the better able to defend himſelf at his trial.

The next perſon that was ſworn, depoſed, that having aſked Sir Cholmondeley if he came by his hurt through unfair uſage, he replied, "No: poor Thorn-"hill! I am ſorry for him; this misfortune was my

"own

" own fault, and of my own ſeeking: I heartily for-
" give him, and deſire you all to take notice of it, that
" it may be of ſome ſervice to him; and that one
" misfortune may not occaſion another."

Dr. Smalridge depoſed, that Sir Cholmondeley ſent to him, and deſired to receive the ſacrament at his hands, ſaying, that " He was extremely ſorry for what " had happened;" but the doctor told him, " He could " not adminiſter the ſacrament to him, unleſs he was " alſo ſorry for the crime;" to which Sir Cholmondeley replied, " What would you have me do? I was " challenged;" that thereupon this deponent ſaid, that was not ſufficient to juſtify him: but that he muſt own the fault, and forgive the perſon; and that Sir Cholmondeley then expreſſed his hearty repentance of that and all his other ſins, and freely forgave the perſon who did him the injury.

The jury, having conſidered the whole evidence, found the priſoner guilty of manſlaughter only.

Account of the Life and Trials of ANDREW BAYNES, *condemned for robbing Mr.* JOHN STORER *on the Highway.*

ANDREW BAYNES was born at Old Sandford near Saffron-Walden in Eſſex, and put apprentice to a Vintner in London: he was then a drawer at a tavern, and after that a butler to a gentleman: he then took a public-houſe in Thames ſtreet, which he quitted, and took the Bear and Ragged-Staff Inn at Lambeth.

Meeting with loſſes and diſappointments, he left off buſineſs, and got a ſcandalous living by tricking and ſharping, taking houſes which he uſed to furniſh upon credit, and then carry off all the furniture into the Mint. He likewiſe uſed to make a practice of

travelling

travelling into the country, and going before a juſtice of the peace, ſwear that he had been robbed of conſiderable ſums of money between ſun riſing and ſetting; and being ſupported by the evidence of two or three villains of the ſame caſt with himſelf, he frequently obtained the money of the county.

At length he became a profeſſed thief, and having committed ſeveral robberies, he was apprehended, and in the month of March, 1708, was indicted at the Old Bailey for breaking open the houſe of Elizabeth Copley, and ſtealing a gold necklace, two gold chains, a ſilver diſh value 30l. and other things, on the 17th of January preceeding.

In the courſe of the evidence it appeared, that the priſoner, with other perſons not then taken, had got over the garden wall, took a pane of glaſs out of the window, and entered the houſe: that while the proſecutrix was in bed, he went into her chamber with a large candle in his hand, by which means, ſhe and her ſervants had ſo perfect a view of him, that they were able to ſwear poſitively to his face, as he ſtaid an hour in the room before he went off with the goods.

The evidence being quite clear, the jury found him guilty, and he received ſentence of death; but obtaining a pardon, he immediately returned to his old practices, and in January, 1710, was again apprehended, and indicted for breaking open the houſe of the Earl of Weſtmorland, in the night of the 23d of October, 1709, and ſtealing a repeating clock, one hundred and fifty four yards of crimſon damaſk, and other goods to a conſiderable value.

To this indictment he pleaded guilty, and again received ſentence of death; but had the good fortune to obtain a reprieve, on condition of tranſporting himſelf within ſix months: this however he neglected to do, and being impreſſed into the army, was carried

to

to Ghent in Flanders: but taking the firſt opportunity ty to deſert, he returned to his former profeſſion, and being apprehended, he was indicted at the Old Bailey on the the 5th of July, 1711, together with one Sutton, for aſſaulting Mr. John Storer on the highway, and taking from him a gold ring, eight ſhillings in money, and other things, on the 22d of May preceeding.

Mr. Storer depoſed, that as he and his ſon were walking between London and Iſlington, about eleven o'clock at night, they met two men, who having paſſed them a little way, returned, and one of them drawing a ſword, bid him ſtand: that he made ſome reſiſtance, but being overpowered by them, was bound and robbed: that during this tranſaction his ſon ran away, and was ſhot at by two men who lay in a ditch, but eſcaped unhurt.

Some other evidences depoſed, that between one and two o'clock in the morning, as the priſoners were going by a watch-houſe near Long-Alley in Moorfields, they were ſtopped by the conſtable, and upon ſearching them, three piſtol balls, and the effects which the proſecutor had loſt, were found upon them. The proſecutor's ſon ſwore poſitively to their perſons, and as they made a very trifling defence, the Jury found them both guilty, and they received ſentence of death.

Baynes, having been twice before in this terrible ſituation, and having now no hopes of a reprieve, began ſeriouſly to conſider his circumſtances, and behaved himſelf as one truly penitent. He ſaid he had, ſince his confinement and condemnation, endeavoured to make, and in ſome caſes had effectually made, reparation to ſeveral perſons injured by him and his wicked aſſociates; being made ſenſible that this was abſolutely neceſſary for him to do, in order to his obtaining not only their pardon whom he had injured, but that of God alſo, who had been greatly

diſhonoured

diſhonoured by his wicked and looſe life, that had of late years been attended with all manner of lewdneſs and debauchery, for which he now felt a grief and bitterneſs of ſoul, much ſuperior to all the pleaſure he formerly had in his ſins.

When he came to the place of execution, he ſpoke to the ſpectators, deſiring them to pray for him, and take warning by him, who, by his extravagancies and ſins had brought himſelf to that ſhameful death. He adviſed them to be wiſer than he had been, and live another life than he had done, that they might not come to ſo ſad and untimely a death, &c. Before he went to execution, he delivered to the Ordinary the paper following; containing a particular account of the robberies committed by him, in company with John Sutton and Will. Maw.

On Saturday, March 31, 1711, we robbed Mr. Potter, at the two men hanging in chains near Bow, and took from him a watch, rings, and other effects, with a ſnuff-box.

2dly, We robbed between Iſlington and Highgate, Governor Beal, with one Henry Harding, and took from them two coats, one blue trimmed with black, and the other a light-coloured coat trimmed with ſilver, one pound eight ſhillings in money and a tortoiſe-ſhell tobacco-box; which I own. But there were thirty-two guineas in gold, which the ſaid Governor loſt, which I ſuppoſe Sutton and Maw ſhared together; for, as I am a dying man, I know nothing of them.

3dly. We robbed a gentlewoman and a porter, between Kingſland and Shoreditch. We took from the ſaid gentlewoman ſix guineas in gold, and fourteen ſhillings in ſilver, two gold rings. We met a Taylor at the ſame time, and upon the ſame road, and took from him ſome ſmall effects.

N. B.

N. B. John Sutton obſerved, that there was a miſtake in this article, as to the date only; for to his beſt remembrance, the Taylor was robbed three days after the aforementioned gentlewoman. And he ſaid alſo, that between theſe two robberies, he committed another (without Baynes) about that place, on a ſervant-man, with a baſket in his hand, from whom he took a ſmall matter.

4thly. We robbed a ſingle gentleman by the Brick-kiln next Tyburn, and took from the ſaid gentleman a ſilver watch, and a pair of ſilver buckles, ſome money.

5thly. We robbed Mr. Thomas Baker, and took two Queen Anne's guineas, and ſeven ſhillings and ſix-pence in ſilver, a ſilver tobacco-box, a pair of ſilver buckles, and three gold rings, and ſome other effects from the ſaid gentleman. Maw was not concerned in this.

6thly. We robbed that worthy gentleman Sir David Hamilton, and his man, near Pancras-Wells, and took from Sir David one diamond ring, a ſilver hilted ſword, inlaid with gold, and ſome money, with other effects. The robbery I own: but for his man's ſnuff-box, as I am a dying man I know nothing of it.

7thly We robbed a gentleman coming from Hackney unto Cambridge-Heath, and took from the ſaid gentleman a ſmall parcel. Maw was not concerned in this.

8thly. The robbery (committed May the 22d, 1711,) which I am condemned to ſuffer death for, upon Mr. Storer, between Iſlington and Old-ſtreet, and took eight ſhillings in money; he having his other effects again.

Theſe are all the robberies I have committed ſince I have been in England, [Meaning ſince his return from

Flanders] and Sutton and Maw were along with me. And as I am a dying man, this is nothing but the truth. So help me God.

Auguſt 7, 1711. ANDREW BAYNES.

He was executed at Tyburn, on the 11th of Auguſt, 1711.

Account of ELIZABETH MASON, *executed for poiſoning her Miſtreſs.*

AT the ſeſſions held at the Old Bailey, on the 6th of June, 1712, *Elizabeth Maſon* was indicted for the murder of Jane Scoles, by mixing a quantity of poiſon, called yellow arſenick, in coffee, and giving it the ſaid Jane Scoles to drink, on the 8th of April, with intent to poiſon her; and ſhe drinking the ſame, languiſhed till the 19th and then died: to which indictment the priſoner pleaded guilty, in conſequence of which ſhe received ſentence of death.

The account which this unhappy girl gave of herſelf was as follows. She ſaid that on the 10th of April ſhe was told ſhe was fourteen years of age, and that ſhe knew nothing more of her birth or parentage, than that ſhe had been informed her father was an exciſeman, and that ſhe was born at Melton-Mowbray in Leiceſterſhire, from whence ſhe was carried very young to Sutton, near Peterborough in Northamptonſhire.

At this place ſhe remained till ſhe was about ſeven years of age, and was then brought up to London, and lived with Mrs. Scoles, (who told her ſhe was her godmother) and Mrs. Cholwell, ſiſter to Mrs. Scoles, who both lived together near Temple-Bar, and afterwards

wards in Covent Garden. As ſhe grew up, her miſtreſs employed her in doing her houſhold work, and ſhe aſſiſted them in their buſineſs of clear-ſtarching; but finding her ſervice hard, ſhe grew weary of it; and her miſtreſs having promiſed to leave her all they were worth at their death, ſhe reſolved to poiſon them both, which ſhe executed in the following manner.

On Thurſday in the paſſion week, being ſent of an errand, ſhe went to a druggiſt's ſhop, and bought two ounces and a half of Yellow arſenick, which ſhe pretended was to kill rats; the next morning ſhe mixed part of the poiſon with ſome coffee ſhe prepared for her miſtreſſes, and threw the reſt away, ſuppoſing ſhe ſhould have no further occaſion for it.

This coffee her miſtreſſes drank, ſoon after which, Mrs. Scoles found herſelf extremely ill, and ſaid "ſhe felt death upon her." She grew worſe very faſt, and died the next morning, before a miniſter who was then ſent for, could come and ~~pay~~ pray by her. As the poiſon did not kill Mrs, Cholwell, this girl was diſappointed in her wicked hopes, and determined to make another attempt; for which purpoſe ſhe went to the ſame ſhop again, and bought a half-penny-worth more arſenick, which ſhe put into a porringer of water gruel, which ſhe had prepared for Mrs. Cholwell's breakfaſt.

Here the providence of God interpoſed in the preſervation of Mrs. Cholwell's life; for the gruel being too hot, ſhe was obliged to let it cool before ſhe could take it; ſo that the arſenick ſettleing to the bottom of the porringer, ſhe did not ſwallow it all: however what ſhe did ſwallow making her very ſick, ſhe looked into the poringer and finding a ſediment at the bottom, ſhe ſent for an apothecary, who finding it to be poiſon, gave her a large quantity of oil to drink by the help of which, and other remedies, the poiſon was expelled.

Hereupon Elizabeth Maſon was ſuſpected of this as well as the former affair, and being charged with it ſhe readily confeſſed the crime. She was now examined by two juſtices of the peace, who commited her to Newgate on the 30th of April.

The Ordinary enquired of her whether any ſweetheart or other perſons had prompted her to the commiſſion of the crime; but ſhe anſwered, "No," adding, "That the devil and her own pride, and the "hope of living at eaſe, by having all that her miſ-"treſſes ſhould leave behind themr were the only "cauſes of it;" and ſhe likewiſe owned that ſhe had often cheated her miſtreſs of money, and to conceal her frauds and other crimes, ſhe had told abundance of lies, of all which ſhe now ſincerely repented.

Being awakened to a ſenſe of the miſerable condition her ſin had brought her into, ſhe expreſſed the moſt earneſt deſire that God wouldpardon her, praying in the words of David, that he would "Deliver "her from blood-guiltineſs" She likewiſe aſked Mrs. Cholwell's forgiveneſs, for attempting twice to kill her with poiſon, and for all other injuries both to her and Mrs. Scoles.

The day before ſhe died, ſhe received the ſacrament with great devotion: and when the time of her death was drawing near, ſhe ſeemed to be ſo far from being diſcompoſed with any unealy thoughts about it, that ſhe chearfully reſigned up her Spirit to God, ſaying, "I feel now more joy in my heart, than if I "were going to a feaſt and merry-making. Methinks "I ſee the gates of Heaven open, and the glorious "things therein, plain before my eyes; and I doubt "not in the leaſt but I ſhall obtain them, through the "merits and interceſſion of my dear Redeemer."

She was executed at Tyburn on the 18th of June, 1712.

Thus

Thus died this unfortunate girl, who according to her own confeſſion, appeared to have had no inducement to the commiſſion of the enormous crime for which ſhe ſuffered, but an unwarrantable inclination to live at eaſe, on the property of other people. From hence let us learn to be ſatisfied in our ſeveral ſtations, to ſupport ourſelves by our own induſtry, and to do our duty towards God and man, as the moſt certain road to happineſs both here and hereafter.

Account of the Trial and Behaviour of RICHARD TOWN, *Tallow-chandler, condemned for defrauding his Crediors, by concealing his Effects.*

AT the ſeſſions held at the Old Bailey in the month of September, 1712, *Richard Town* was indicted, for that he, having followed the trade and myſtery of a Tallow chandler, and bought and ſold goods and merchandize in that art, and got his living thereby, at divers times ſince the month of April, 1707, and having contracted ſeveral debts by ſuch his dealing, buying and ſelling, particularly a debt of 100l. to William Thomas, and above 1000l. more to other perſons, he became bankrupt, and a commiſſion of bankruptcy was iſſued out againſt him: and that afterwards, viz. on the 5th of April, 1712, he did withdraw himſelf from the ſaid creditors, with intention to defraud them, and did remove, and feloniouſly and fraudulently conceal, and carry away fifteen ton of tallow, valued at 400 l. and 400 l. in money numbered: as alſo his debt books, and books of account, the ſaid William Thomas, and other his creditors, to defraud, contrary to the ſtatute in that caſe

caſe made and provided, To which indictment he pleaded Not guilty.

The council, on opening the indictment, informed the jury, that the ſtatute was very expreſs, that if any perſon, being a bankrupt, after the month of April, 1707, did fraudulently conceal, embezzle, or make away with goods, or money, to the value of 20 l. he or they ſhould be guilty of felony. Then the witneſſes were called.

Mr. Bromwich depoſed, that the priſoner followed the trade of a Tallow-Chandler; and had told him he was going to Holland, or elſewhere; and that he alſo ſaw ſome of the tallow packed up in order to be ſhipped off:

In order to prove the debt, William Dee depoſed, that the priſoner, on the 14th of March, 1712, bought divers goods of William Thomas, to the value of 150l. which goods were, by his order, packed up and ſent away, and where afterwards ſhipped for Holland.

Mr. Jefferis depoſed, that he delivered in November, 1711, a great quantity of tallow, amounting to above 100 l. worth at that time above forty ſhillings per hundred weight, for Mr. Vos and partners, to whom alſo the priſoner was debtor.

One Mr. Town depoſed, that he having ſeven hogſheads of Jamaica pepper in a warehouſe of the priſoners, the priſoner unknown to him, and without his conſent, ſold the ſame for ſeventy pounds about the time he went off, and carried the money with him.

To prove the bankruptcy, it was depoſed, that the priſoner withdrew himſelf from his habitation about 1 o'clock in the morning, on the 5th of April.

Mr. Hodgſon depoſed, that he being ſent by the commiſſioners in a ſtatute of bankrupt, in queſt of the priſoner, he took him on the 17th of April at Sandwich; where ſearching him by virtue of a warrant from the commiſſioners, he found in his pocket twenty

twenty guineas in gold, and five pounds ſeven ſhillings and ſixpence, or thereabouts, in ſilver, and three gold rings on his fingers; and that he took from him the guiueas, five pounds in ſilver, and the rings, and left him the odd ſhillings to himſelf: that afterwards he aſked the priſoner how it came about, that he had no money when he went on board? To which he anſwered, that he had more money when he went on board, but being ſea-ſick, and going to eaſe himſelf, at the ſhip-ſide, he droped eight hundred guineas, which were in two bags in his boſom, between his coat and waiſtcoat, into the ſea. This was ſtrengthened by his own examination before the commiſſioners, wherein he acknowledged upon oath, that on the fourth of April (the day before he went away) he ordered Thomas Norris to carry away his books of accounts, plate, and papers of great value, and a large qnantity of tallow, of which he then believed were arrived in Holland: that on the 5th he went away, in order to go to Oſtend, but when he came to the ſea- ſide, found the Amſterdam fleet was ſailed, and therefore he and Norris went on board the packet boat, and the weather being rough he was ſea-ſick, and loſt his 800 guineas out of his breaſt; and the packet boat being driven back by the winds, he was taken at Sandwich, but Norris got off. He then owned likewiſe that he had ſhares in ſeveral ſhips, as an eight part in the ſhip Fortitude, a fourth in the John, and in divers other ſhips and veſſels. He alſo ſaid, that he had two notes of William Thomas's (the proſecutor) unaccounted for; one for 700 l. and the other for 100 l. but did not produce any or either of theſe notes to the commiſſioners.

The priſoner, in his defence, pleaded that he owed Thomas nothing, nor dealt with him but for ready money, and that Mr. Thomas had a note of his

his for 500 l. which ſum he was to pay away for him but had not done it; and therefore reckoned him debtor for ſo much. To which Mr. Thomas replied, that there was an account of 1400l. due to the Bank, which he was concerned with the priſoner in; and that there being 900l. paid, the priſoner gave him the 500l. note to ſecure him; ſo that in truth the debt was due to the Bank, to whom he was anſwerable, and not any way to the priſoner.

However, he ſtill inſiſted he owed Mr. Thomas nothing, and that the commiſſion was maliciouſly taken out againſt him, Thomas owing him great ſums of money, and particularly the two notes, he had mentioned in the examination; which notes, the priſoner, with a great deal of urgency, did at laſt produce, and were handed into court, and ſhewed to Mr. Thomas, with ſome other notes pinned together, which he looked on, ſolemnly denied the two notes; and which being afterwards viewed by the judge and jury, it appeared plainly to them that Mr. Thomas's hand was counterfeited, and that the body of the notes was written by the priſoner.

The priſoner then called one Mr. Forward, who had received notes under Mr. Thomas's hand for 665l. from one Whitely in Holland, who had them from Norris: but that appeared very frivolous the notes having been accounted for between Thomas and Town; and the ballance of that account was delivered into court by Mr. Thomas, the counter part of which, he ſaid, was in the priſoner's cuſtody, who produced one that he pretended to be ſuch, that alſo was found to be a counterfeit.

One Mr. Walker, being called by the priſoner, depoſed, that he being appointed by the commiſſioners to inſpect the account between Mr. Thomas and the priſoner, he acquainted Mr. Thomas with it; who ſaid, he would not go and ſee the priſoner, till he ſaw him go to be hanged.

hanged. He alſo mentioned the notes which Mr. Thomas had before denied.

The priſoner then called ſome people to prove as to the goods ſent away, that he uſed to ſhip tallow and other goods to Holland and other places. A porter particularly ſwore, that Mr. Thomas told him, it was Norris that bought the goods he charged the priſoner with: but it being ſaid, that Norris and the priſoner bought goods in partnerſhip; and proved before, that thoſe in queſtion were packed up, and delivered by the priſoner's order, this evidence availed not much.

Another evidence depoſed, that he had ſhipped off goods for the priſoner, at his wharf, but ſaid alſo he had been a conſiderable loſer by him in other things.

He then called ſeveral people to his reputation, but had the misfortune either to have them not appear, or if they did, to ſay very little in his favour: and in particular one Mr. Morgan, being againſt his will prevailed upon by the priſoner to ſpeak, ſaid, he was as great a rogue as any in England, or words to that effect; ſo that his whole defence was nothing to the diſproof of the crime he was accuſed of.

During the trial he was deſired by the court to produce his books; to which he anſwered, that he could not do it preſently, but that they were in town. And a while after, the ſame thing being mentioned again, he ſaid he could not do it, for they were not in the kingdom; ſo that it plainly appeared he had no intention to produce them.

Then the Chief Juſtice gave his opinion and inſtructions to the jury; wherein he obſerved, that the ſtatute ſays, conveying away money or goods to the value of twenty pounds in ſuch a caſe, is felony. That it was proved he had more money taken upon him, and had concealed and made away with 800 guineas, and a great quantity of tallow: but that the conveying the tallow no way affected him; for being

accuſtomed to ſhip off ſuch goods, that was no proof of fraud.

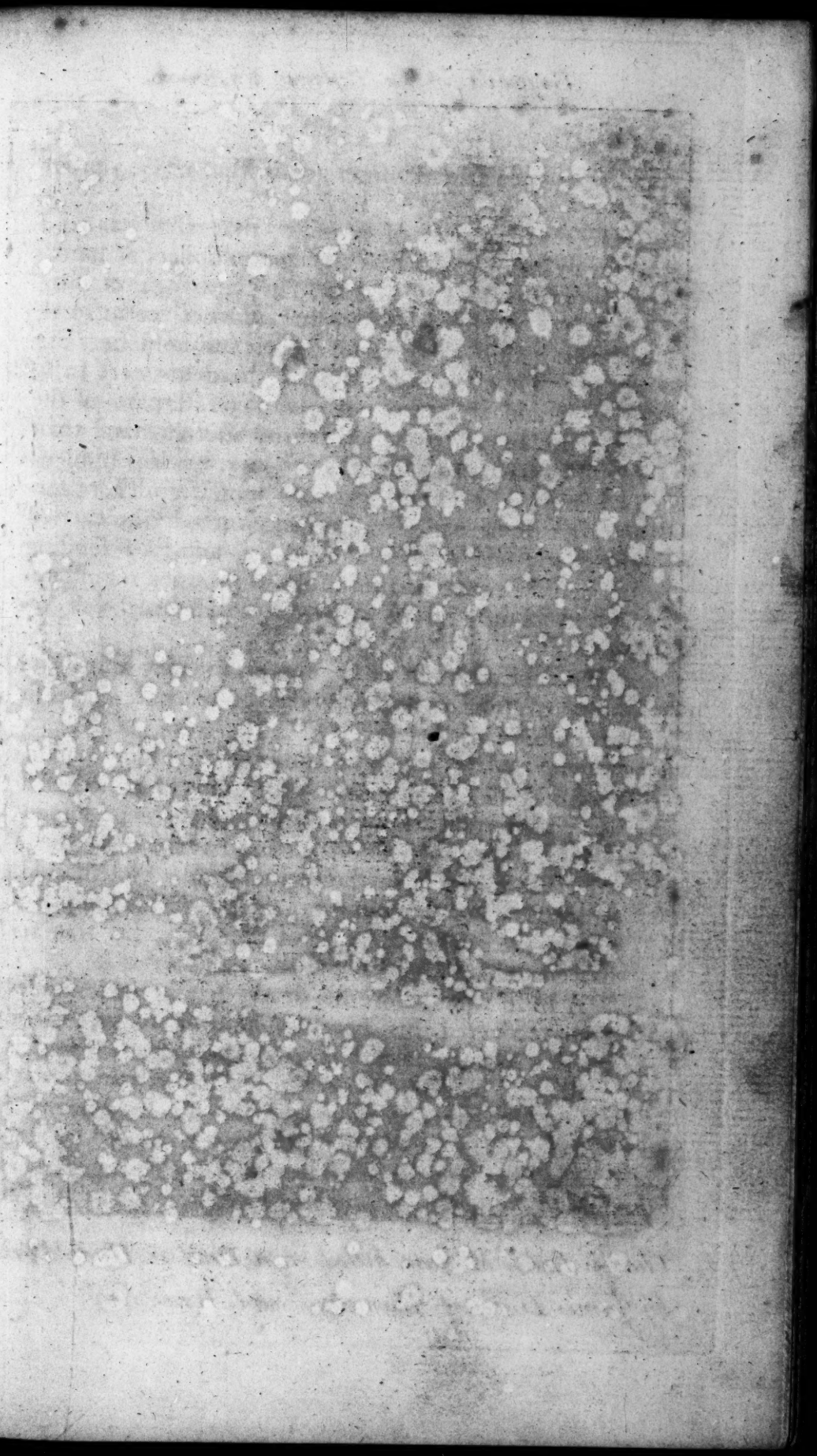
His lordſhip was of opinion, that what was read in his examination before the commiſſioners of bankrupts, ought not to be taken in evidence againſt him, becauſe a confeſſion taken in evidence ought to be voluntary, and thoſe before ſuch commiſſioners are not ſo. He alſo obſerved that the debts were fully proved, and that the notes and counterpart of the accompts ſeemed to be written by another hand than Mr. Thomas's; and that the priſoner, to clear himſelf of felony, had almoſt proved himſelf guilty of forgery: that he had given no account why he carried the goods and money beyond ſea, and that ſending his books away, and refuſing to produce them, appeared plainly to be a deſign to defraud his creditors.

Upon hearing the whole matter, the jury found him guilty of felony, and he received ſentence of death accordingly.

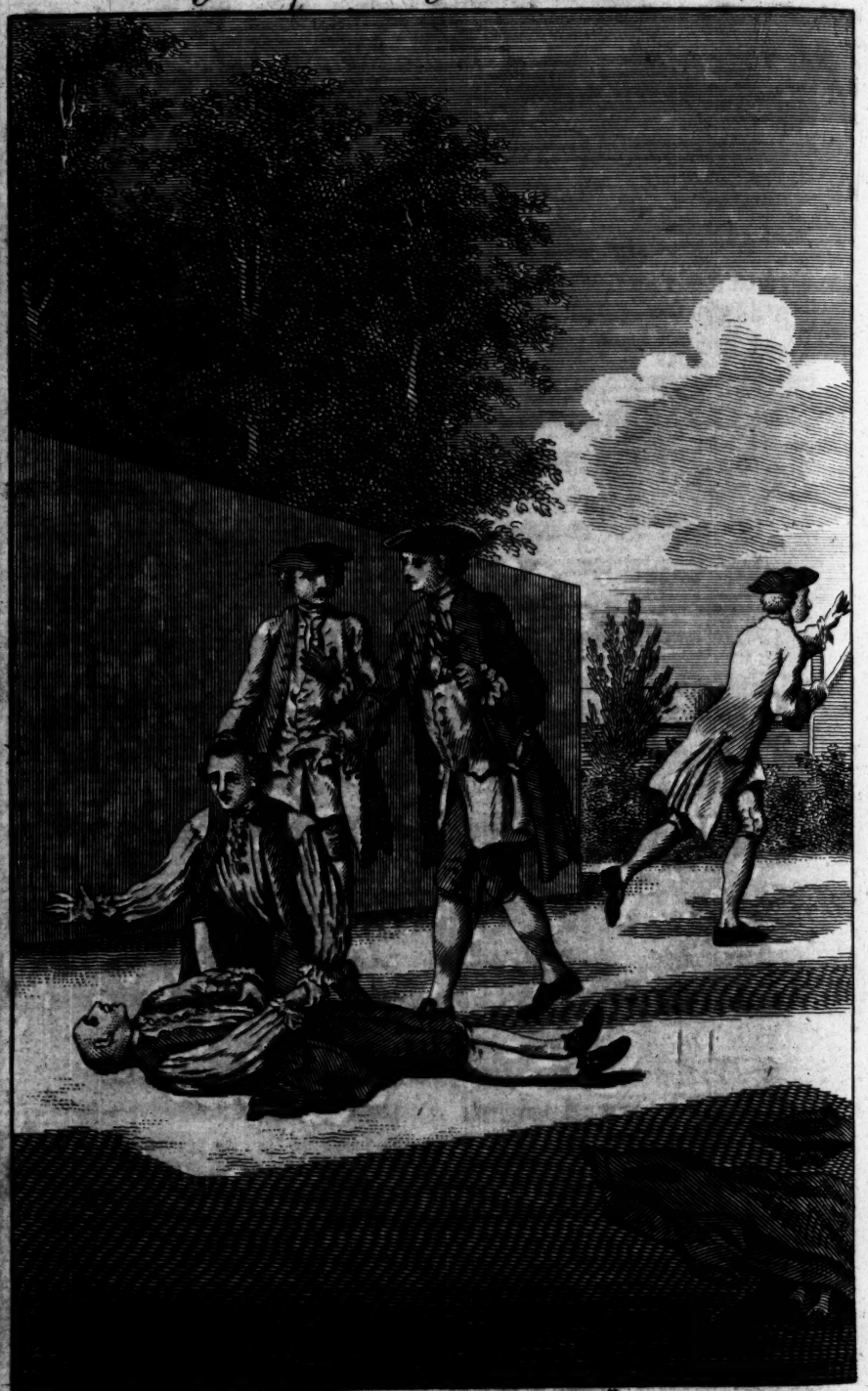
Before Mr. Town was convicted, he had a chamber to himſelf in the preſs-yard; but after ſentence was paſſed upon him he was put into the condemned-hold with the other priſoners; and having before been ſubject to deafneſs, he there contracted a violent cold, which renewed that diſorder; ſo that on his complaining of the diſagreeableneſs of the place, he was removed to his former room.

A little time before his death, having in ſome degree recovered his hearing, he uſed to attend the prayers in the chapel, but would not acknowledge his guilt, and ſaid that a certain perſon whom he had charitably relieved and ſaved from ruin, had been the occaſion of his deſtruction: however, he profeſſed to die in charity with his enemies, and begged God would forgive them as well as himſelf,

This



Engrav'd for the Tyburn Chronicle.



Charles Lord Mohun, killed in a Duel in Hyde Park, by James Duke of Hamilton and Brandon.

This criminal was juſt forty one years of age, being hanged at Tyburn on his birth-day, the 23d of December, 1712.

This was the firſt inſtance of any man being convicted on the act which made it felony to conceal to the value of twenty pounds and upwards, under a commiſſion of bankruptcy, and we wiſh he had been the laſt to deſerve it.

He left behind him a conſiderable value in India bonds, hid in the room where he was confined in Newgate. Theſe bonds were afterwards found by Mr. Caſſils, who was many years confined in that priſon, together with Major Bernardi and Mr. Blackbourne, on ſuſpicion of being concerned in the plot for aſſaſſinating King William. Mr. Caſſils very honeſtly reſtored the bonds to the family of Mr. Town, a circumſtance which ought to be recorded to his honour.

The Trial of JOHN HAMILTON, *Eſq. for the Murder of* CHARLES *Lord* MOHUN, *and* JAMES *Duke of* HAMILTON *and* BRANDON.

AT the ſeſſions held at the Old Bailey, on Thurſday the 11th of September, 1712, *Colonel John Hamilton* was brought to the bar in order to be arraigned, but a writ of appeal being delivered to the Sheriff, at the ſuit of the Lady Mohun, againſt the ſaid John Hamilton, for the murder of her lord, ſeveral council moved that his trial at the ſuit of the crown might be ſuſpended, and give way to the writ of appeal: but this being oppoſed by other

council, and many arguments uſed on both ſides, the court was of opinion that he ought to be tried on the indictment; and he accordingly took his trial on the following day,

JOHN HAMILTON, Eſq. of St. Martin's in the Fields, was indicted for the murder of Charles Lord Mohun, Baron of Oakhampton, on the 15th of November preceeding, by comforting, aiding, abetting and aſſiſting the moſt noble James Duke of Hamilton and Brandon, and George Macartney, Eſq. in giving the ſaid Lord Mohun a mortal wound in and upon the right ſide of his body, near the ſhort ribs, of the breadth of one inch, and the depth of fifteen inches, of which he inſtantly died.

He was alſo indicted upon the Coroner's inquiſition for the ſame murder.

Another indictment was brought againſt him for comforting, aiding, and abetting the ſaid Charles Lord Mohun, and George Macartney, at the ſame time and place, in murdering James Duke of Hamilton and Brandon aforeſaid, by giving him one mortal wound on the left part of the breaſt, near the left pap, of the breadth of three quarters of an inch, and the depth of twelve inches; and another indictment was brought upon the Coroner's inquiſition for that murder.

To all which he pleaded, Not Guilty..

Lord Mohun's footman depoſed, that on Thurſday the 13th of November, his Lord and the Duke of Hamilton met at a Maſter in Chancery's chambers in Chancery-lane, between ſix and ſeven o'clock in the evening, and that a paper being there read, wherein one Whitworth had given evidence, the Duke of Hamilton ſaid that he, meaning Whitworth, had neither truth nor juſtice in him; to which Lord Mohun anſwered, he had as much truth as his Grace, to that purpoſe; that the Duke of Hamilton made no reply,

reply, and ſoon after Lord Mohun came, and paſſed by the Duke as he was making water, but neither ſpoke to the other.

That afterwards his Lord went to White's Chocolate-houſe, and from thence went to ſupper at the Queen's-Arms in Pall-Mall, and then went home, and gave orders to let nobody ſpeak with him next morning but Macartney; who not coming, his Lord went to Macartney's lodgings, where he ſtaid about half an hour; and afterwards he and Macartney went to the Duke of Marlborough's, and continued there about the ſame time.

That in the ſame houſe where Macartney lodged, there was alſo one Colonel Churchill, to whom the evidence ſaid, that he was apprehenſive there was like to be a quarrel; and a while after his Lord checked him ſeverely for talking after that manner: that after they came from the Duke of Marlborough's, Lord Mohun went to Serjeant's Inn, where he ſtaid about half an hour, and then dined at he Globe in the Strand, with the ſaid Colonel Churchill, Sir Robert Rich, and Macartney, and after dinner went away.

This evidence having been ſent of an errand, called again at the Globe at five o'clock, but they were gone, and he afterwards found them at the play. This evening Lord Mohun ſupped at the Queen's-Arms in Pall Mall, with the Duke of Richmond, Colonel Churchill, Sir Robert Rich, and Mr. Macartney. After ſupper Mr. Macartney ſent this evidence to his lodgings, and when he returned, all the gentlemen were gone, and he could not find his Lord that night.

Having ſtill a ſuſpicion that ſome miſchief was going forward, he went towards Hyde-Park about ſeven o'clock on Saturday morning, and ſeeing the Duke of Hamilton's coach going that way, he followed it, and with ſome difficulty got over the Park wall, that he might not be ſeen; but by the time he came up to

the

the place where they were engaged, he ſaw both the noblemen fall, and two gentlemen, whom he imagined were the ſeconds, by them: one of theſe he knew to be Macartney, but he would not poſitively ſwear that the priſoner was the other; but ſwore that this other ſaid, "We have made a fine piece of work "of it," or to that purpoſe; and that Lord Mohun being helped up, reeled about two yards, and then falling down, preſently died.

A drawer at the Globe-Tavern depoſed that on the 14th of the month, Lord Mohun, Sir Robert Rich, Colonel Churchill and Mr. Macartney dined there: that after dinner Macartney went out, and when he came in again talked privately with Lord Mohun, and then went away, and his Lordſhip returned to the company, but ſtaid but a little while, and went in the ſame coach with Macartney: that Sir Robert Rich and Colonel Churchill ſtaid an hour, and after they were gone Lord Mohun and Mr. Macartney came and aſked for them.

A waiter at the Roſe-Tavern in Covent-Garden depoſed, that on Friday the 24th of November, Lord Mohun, and a gentleman in grey cloaths came thither; and being ſhewed a room, aſked if ſtars and garters uſed the houſe; and on his anſwering that they did ſometimes, they told him that the Duke of Hamilton would be there preſently, and when he came bid him ſhow him a room, but not bring him into theirs; that in a little time the Duke came and another gentleman with him, and the Duke aſked for Macartney, and the gentleman in grey, who hearing his Grace's voice went to him: the gentleman with the Duke then went away, and the witneſs carrying in a bottle of wine, they bid him be gone, for they would help themſelves. The gentleman in grey paſſed ſeveral times between the Duke and Lord Mohun; and then the gentleman went

away

away with the Duke; but the witneſs would not ſwear that this gentleman was the priſoner.

The Duke of Hamilton's porter depoſed, that in the morning of the abovementioned day, Mr. Macartney's ſervant came to enquire if the Duke was ſtirring; and being aſked what he wanted, ſaid he came from a gentleman in the North; after which Mr. Macartney himſelf came, told his name, and ſaid he had important buſineſs from the North to communicate.

After this the Duke went out, and coming in again about one o'clock, this witneſs told him who had been to aſk for him, and deſired to know where he might ſee him at four o'clock; and at that time Macartney came again, and ſtaid with the Duke about a quarter of an hour; after which the Duke went out, and came in about ſix, and Col. Hamilton with him, and they dined together and then went out again, and the Duke came in again about eight, and ſtaid all night.

The evidence being aſked whether the priſoner uſed to dine there, anſwered, "very frequently."

John Lefley, the Duke's footman, ſwore, that on the 14th about five in the evening, the Duke went in a hackney coach to the Britiſh Coffee-houſe, and ſent him for the priſoner, who came into the coach, and went into the Roſe-tavern, where he bid the witneſs ſtay by the coach, while he and the priſoner were together: that the next morning by ſix o'clock, he was ſent to the priſoner to tell him to get himſelf dreſſed, for the Duke would call upon him about buſineſs; that when he went, the priſoner was getting up, and the Duke called, and took him in the coach, and bid the coachman drive to the Park; and he being behind the coach, the Duke called to him, gave him ſome keys, and directed him where to find a mourning ſword, which he brought, and the Duke threw it into the coach, bidding the coachman drive to Kenſington,

ſington, but they got out over againſt the lodge, and went upon the graſs between the ponds, the Duke having charged him to go and ſtay by the coach; that he, having a ſuſpicion of miſchief, was going back, and met Macartney going towards Kenſington; and afterwards met the priſoner, who was going away in the Duke's coach, and told him the Duke was mortally wounded.

Andrew Clark, the Duke's coachman, ſwore, that before 6 o'clock, the Duke ordered him to get the coach ready, and when it was done, he retired three or four minutes, and then went and called the priſoner; and that he then ſent the footman (as beforementioned) for a ſword; then he drove to the Park, and ſet him down, and that he ſaw Macartney come by with his waiſtcoat buttons all bloody, and in a very melancholy poſture, and that he went out of the Park; and then the priſoner came, and he took him into the coach.

Richard Cook, ſervant at the Bagnio, depoſed, that the Lord Mohun came in about one o'clock on Saturday morning, and aſked for a portmanteau which was left by Macartney's ſervant; and being ſhewed a room, the witneſs pulled off his ſhoes and ſtockings, and he himſelf pulled off his coat and waiſtcoat; and afterwards Macartney came, and was put to bed in the ſame room: that he obſerved the Lord Mohun to walk in a melancholy poſture before he went to bed, and when he lay down he fetched a deep ſigh, and bid him be ſure to call him by ſix in the morning.

Charles Chabaner of the Bagnio depoſed, that Macartney's ſervant brought the portmanteau at 11 o'clock on Friday morning, and aſked if there was convenience to lodge two gentleman; that Lord Mohun came firſt, and was in bed before Macartney came, who talked with this witneſs while he was undreſſing,

and

and aſked him if he did not hate the French, and ſuch like, but Lord Mohun ſpoke not a word.

When Macartney was in bed, he bid the witneſs be ſure to call him at half an hour after ſix at fartheſt, for they were to go in a ſtage-coach. He called them accordingly, and got a pot of tea, changed a guinea for Lord Mohun, and then got a coach, they being in great haſt, and Macartney bid the coachman make haſt to Kenſington.

John Pennington, a coachman, ſwore he was called from Bow-ſtreet end to the Bagnio, where he took up Lord Mohun and Macartney, and drove them into the park; when he came thither he was ſent to the lodge for ſome burnt wine, while they pretended to walk: that afterwards the Duke of Hamilton and another perſon came to him, and aſked where thoſe gentlemen were that he brought, and he telling them which way they were gone, they went that way alſo; whereupon he miſtruſted ſomething, and went to the lodge and called for help; that he ſaw them go over the ditch, and draw all their ſwords, but did not ſee the ſecond puſh, though he ſaw them go to help the two Lords when they were down; that Lord Mohun was brought alive by three people to his coach-ſide; and after he ſaw him dead, he followed Macartney, telling him he muſt pay him, or elſe go into the coach; but he told him Lord Mohun's ſervant would pay him, and he was ſatisfied.

Joſeph Nicholſon depoſed, that as he was driving a wheel-barrow in the Park, a perſon came from the Lodge, and deſired him to come and help, for there was a duel; and having got a ſtick, he made all the haſt he could: but when he came within about thirty ſpaces, he ſaw Lord Mohun down, and the Duke of Hamilton fell over him; a gentleman being behind the Duke, and another behind the Lord, endeavouring to raiſe them with both their ſwords drawn, as had alſo the two Peers; and when he and others came

up, the two gentlemen delivered their ſwords, but the other were not willing to part with theirs; and Lord Mohun's ſword was bent in wreſtling it from him: that the ſaid Lord beginning to faint, Macartney helped to turn him on his ſide, ſaying, he believed he was ſick with bleeding inwardly; and at the ſame time bid him take notice, that the gentleman in grey cloaths and a lace hat endeavoured to part them.

The ſwords were produced, the Duke's and Lord Mohun's were very bloody, and Macartney's was bloody from the point to about twelve inches of the blade, and very much bent; but the priſoner's ſword was not bloody at all, nor could the evidence ſay he was one of the four.

John Reynolds, who belonged to the lodge, gave an account, that the coachman aſked for wine, and told him the two gentleman he brought were gone to walk; but the witneſs was apprehenſive that they were going to fight, and bid the coachman look out, and told him he believed it was a duel, for he had ſeen two more come to look for them: whereupon he made all the haſte he could, and ſaw the Duke of Hamilton throw his cloak off, and Lord Mohun his ſurtout coat; after which he ſaw but two paſſes, and then Lord Mohun fell, and the Duke upon him: but before he could get up to them, the two gentlemen came to their aſſiſtance. He ſwore he did not ſee the ſecond draw, nor could tell how near they were to the Lords, for the way was bad, he could not look at them all the while he was going towards them; but when he came up he aſſiſted in taking the ſwords, and the Duke refuſed to deliver his.

William Morris (a groom) depoſed, that as he was walking his horſe towards Hyde-Park, he followed a hackney coach with two gentlemen in it, whom he ſaw alight by the lodge, and walked together towards the left part of the ring, where they were about a

quarter

quarter of an hour before he ſaw two gentlemen more come to them; that after having ſaluted each other, one of them, who he is ſince told was the Duke of Hamilton, threw off his cloak, and one of the other two, who he now underſtands was Lord Mohun, his ſurtout coat, and all immediately drew; that the Duke and Lord puſhed at each other but a very little while, when the Duke cloſed, and took the Lord by the collar, who fell down and groaned. and the Duke fell upon him; that Juſt as Lord Mohun was dropping, he ſaw him lay hold of the Duke's ſword, but could not tell whether the ſword was at that time in his body; nor did he ſee any wound given after the cloſing, and was ſure Lord Mohun did not ſhorten his ſword. He declared he did not ſee the ſecond fight, but they had their ſwords in their hands, aſſiſting the lords, as before.

This evidence was neareſt and ſaw moſt of the action: all the witneſſes declared they could not well ſee the ſeconds, becauſe the principals were fighting between them and the witneſſes.

Henry Amy, a ſurgeon, depoſed, that he found the Duke of Hamilton had received a wound by a puſh, which had cut the artery and ſmall tendon of his right arm; another in his right leg, eight inches long, which he ſuppoſed to be by a ſlaſh, it being very large; another ſmall one in his left leg, near the inſtep; and a fourth on his leſt ſide, between the ſecond and third ribs, which ran down into his body, moſtly fore-right, and having pierced the ſkirt of his midriff, and gone through his caul; that the wound in his arm cauſed his dying ſo ſoon; and that he might have lived two or three days with the wound in his breaſt, which wound could not be given but by an arm that reached over, or was above him.

He further depoſed, that he alſo viewed the Lord Mohun's body, and found that he had a wound between the ſhort ribs quite through his belly, and

another about three inches deep in the upper part on his thigh; a large wound about four inches wide in his groin, a little higher, which was the cauſe of his immediate death, and another ſmall wound on his left ſide; and that the fingers on his left hand were cut.

Paul Bouſſier, another ſurgeon depoſed, that about a quarter after eleven on Friday night, on the 14th of November, a footman come for him to go to the Duke of Hamilton's; but he being in bed, and not well, aſked if the Duke was ill, and being told he was not, deſired to be excuſed till, morning: that the next morning Mr. Ferguſon came to him about ſeven, and ſaid, the Duke deſired him to take coach, and come to Hyde park, to dreſs him if there ſhould be occaſion; that not being up, he ſent a ſervant, and ſome time after went to the Duke's houſe, and found him dead; that he opened the body, and perceived a wound between the ſecond and third rib, entered down into the body, inclining to the right ſide, which could not be given but by ſome puſh from above. He ſaid, theiſſue of blood was the immediate cauſe of the Duke's death; and being aſked if that wound in the arm would hinder the holding his ſword in his right arm, he anſwered, he might uſe that arm for awhile, it being the ſmall, and not the main tendon that was cut.

Robert Talbot (Bouſſier's ſervant) depoſed, that by his maſter's orders, he went to Hyde Park with Mr. Ferguſon, who ſet down at the public houſe, and bid him ſtay till called for; and that after awhile he was called, and found the Duke wounded as before, and upon feeling, found he had no pulſe, and that he died ſoon afterwards.

Furguſon gave evidence, that on Saturday November 15th, about ſeven in the morning, the Duke his maſter ſent for him, and after having made him promiſe ſecrecy, told him he had a challenge, and was

was obliged to vindicate his honour; wherefore he bid him get Bouſſier ready to attend in caſe of need; but Bouſſier not being ready, he took his man, and before he came to the Park all was over.

Mr. Maſon, the Duke's ſecretary, depoſed that on the 13th of November, he dined with his Grace, and went afterwards with him to Mr. Orlebar's Chambers in Chancery-lane, where he heard him object againſt Whitworth, as one who had forgot himſelf about a year ago, and was not now to be believed; and that the Lord Mohun was in liquor, and uſed the words, or to the ſame purpoſe, as mentioned by Lord Mohun's footman.

The priſoner in his defence ſaid, that the Duke called him to go abroad with him, but he knew not any thing of the matter till he came into the field: and called ſeveral Noblemen of Scotland, and other perſons of quality, who all gave him the character of a very honeſt, gallant, inoffenſive man.

After which the court ſummed up the evidence, none of which being ſufficient to prove the priſoner's knowledge of the duel, the jury found him guilty of Manſlaughter, upon the two indictments, and acquitted him of the coroner's inquiſition: after which he prayed the benefit of the ſtatute, which was granted.

Account of the Trial and Behaviour of RICHARD KEELE, *and* WILLIAM LOWTHER, *condemned for aſſiſting* CHARLES HOUGHTON *in the commiſſion of a Murder.*

AT the ſeſſions held at the Old Bailey, on the 10th of December 1713, *Richard Keele* and *William Lowther* were tried for aiding, abetting, comforting

forting and aſſiſting Charles Houghton in the murder of Edward Perry, on the 16th of September preceeding, by throwing him down on the ground, bruiſing him, and giving him a wound with a ſword on the left ſide of his body, of which he languiſhed till the third of October, and then died.

In the courſe of the evidence it apppeared that the priſoners, together with Charles Houghton and John Cullum, having been convicted at the Old Bailey of divers felonies, were committed to Clerkenwell Bridewell, to be kept to hard labour for two years. When they were brought to that priſon, Mr. Boreman, the keeper, thought it neceſſary to put them in irons, to prevent their eſcape; this however they refuſed to ſubmit to, and ſwearing they would looſe their lives firſt, attacked Boreman and his ſervant, beating and bruiſing them with irons in a barbarous manner.

It appeared that Lowther bit off the tip of one man's noſe, ſtabbed him twice with a knife, and wounded him on the head: after which they broke into the place where the arms lay, and forced the keepers out of the priſon; which being done, they ſwore they would never be ironed, but rather all die on the ſpot.

Edward Perry, (the deceaſed) being then without the gate, deſired them to be peaceable, and advancing towards them, Lowther took him by the hand in ſeeming friendſhip, and Houghton ſtabbed him. In the mean time the Keeper and his people having got ſome arms and aſſiſtance, fired on theſe fellows, by which Houghton was ſhot dead, and both the priſoners wounded; upon which all the other priſoners attempted to make their eſcape, and ſeveral of them actually got over the wall, but they were almoſt all retaken, by the vigilance of the Keeper and his friends: Cullum however effected a perfect eſcape.

Keele

Keele made a kind of defence, in which he endeavoured to excuſe himſelf, by ſaying that he would have accommodated the difference; but the court told him, that as he had been concerned with the others in obſtructing the keeper and his ſervants in the diſcharge of their duty, he was equally guilty with the reſt. The jury brought in the priſoners guilty of murder, and they received ſentence of death.

Richard Keele, who was born at Rumſey in Hampſhire, was about thirty three years of age, and was brought up at Wincheſter, where he learnt the art of wig making. From Wincheſter he came to London, and kept a Barber's ſhop in Rotherhithe for ſix years; but ſome diſputes happening between him and his wife, they parted, and he had lived an irregular life ever ſince.

Keele denied his being guilty of the fact for which he ſuffered, ſaying, that ſo far from intending the miſchief, he did all in his power to prevent it; yet he acknowledged the juſtice of God in his puniſhment, ſaying that he had been a very bad man, though not ſo bad as the world had repreſented him. He ſaid that the particular ſins which lay heavy on his conſcience, were whoring, drinking, ſwearing and ſabbath-breaking, and that for ſix years paſt, he had lived with Arabella Thomas, the wife of another man.

William Lowther was born at Whitehaven in Cumberland, was twenty-two years of age, and brought up at Newcaſtle almoſt from his infancy. He ſaid he had uſed the ſea almoſt ten years, and was at one time maſter of a ſmall collier, which his father gave him, that traded between Newcaſtle and London; and that he might have done well if he had kept to that honeſt employment.

He ſaid, that when the keepers of Bridewell came to put on the fetters, he oppoſed them, but that he intended no miſchief, and therefore what happened there

there was not his fault; and if in the hurry he was then in, he had hurt any perſon, or done any thing he ſhould not have done, he was very ſorry for it, and begged pardon, which though he did not expect in this world, he had hopes of receiving in the next.

He acknowledged that he had been guilty of many vices, but that having been a priſoner in Newgate for debt, the converſation he there had with felons, made him a much worſe man than he had been before; but he ſaid that he never was a common thief in his life, and that he never had been tried till the preceeding September, when he was convicted, and committed to Bridewell as abovementioned; yet he denied being guilty of the felonies of which he was then convicted.

On the morning of execution, theſe criminals were carried from Newgate to Clerkenwell-green, where they were executed on a gallows erected for that purpoſe.

As they were going to ſpeak to the people in their own vindication, they were ſtopt by the Ordinary, who told them it was more proper for them to apply to God for the pardon of their ſins, and the ſalvation of their ſouls; which advice they complied with, earneſtly praying to God for mercy. Keele then aſked the deputy ſheriff, whether his body was to be buried, or hung in chains, of which he had ſome ſuſpicion, by the Smith's going to take meaſure of him and Lowther for their chains, but they would not let him do it. He was anſwered, "Pray, Sir, don't concern yourſelf about your body "but take care of your poor ſoul." He then fixed his eyes on his book, and never quitted it till the cart drove away.

Being

Being cut down, their bodies were put into a cart drawn by four horſes, decked with black plumes of feathers, with ſeveral party-coloured ribbons; and being conveyed to Holloway, were hung in chains.

The copy of a letter ſent to Mr. Richard Keele, *in the condemned-hold, the night before he ſuffered.*

Mr. Keele, London, Dec. 22, 1713.

I AM heartily ſorry for the fatal circumſtance you now lie under; and though I have received ſome injury at your hands, yet I freely forgive you; but as you are a dying man, I beg of you to do me that juſtice, as to inform Mr. Lorrain, before you leave this world, whether I was guilty, or not, for that moſt horrid crime of blaſphemy, for which I was convicted with you and George Milſon at the Old Bailey; for that will be very ſatisfactory to me, becauſe I may not ſtill lie under the aſperſion of ever being thought ſo profain a perſon as thoſe ill minded people who ſwore againſt us, repreſented me on my trial. It now lies in your power to juſtify my innocency in that matter; ſo moſt ſincerely praying God to have mercy on your poor ſoul, which I hope he will moſt graciouſly receive into his eternal reſt; give me leave (after exhorting you to behave like a true and good Chriſtian, the few moments you have to reſide on earth) toſubſcribe myſelf.

Your humble ſervant,
B. BOURAGE.

Mr. Keele's Anſwer.

Mr. Bourage,

I Received your letter, and in anſwer thereto, I ſend you this; that as for the injury you received from me in the quarrel that happened between us, it was your own ſeeking; ſo I hope I have nothing to an-

ſwer for it; but however, am glad you forgive it, as lying under ſuch circumſtances; and as for the blaſphemy which you and I were ſwore againſt wrongfully, you are very ſenſible, as well as I, that we were all ſwore againſt falſely; ſo as I am a dying man, I freely clear you as in my company, which I hope you will do me the like juſtice. This, Sir, is all I can ſay, only deſire you will pray for my dear ſoul, which I hope God Almighty, out of his great mercy, will receive into his heavenly kingdom; from

Your humble ſervant.

RICHARD KEELE.

Account of the Trial and Execution of Mr. RICHARD NOBLE, *attorney at Law, for the Murder of* JOHN SAYER, *Eſq. with many curious particulars reſpecting the Amours of Mr.* NOBLE *and Mrs.* SAYER.

THERE is ſomething ſo extraordinary in the following ſtory, that our readers cannot fail of being pleaſed with having all the particulars related at large. Herein the thoughtleſs of both ſexes may ſee the fatal conſequence of indulging their irregular paſſions, and that the commiſſion of one crime naturally leads to the commiſſion of another, till in the end ruin overtakes the perpetrator, and the gratifications of unlawful love, end in the agonies of a ſhameful death.

John Sayer, Eſq. whoſe death was the unhappy occaſion of the following narrative being made public, he was lord of the Manor of Biddleſden in Buckinghamſhire,

inghamſhire, which is worth eight hundered pounds a year, beſides which he poſſeſſed about two hundred a year more, and his mother's jointure of one hundred. He was an honeſt good-natured man, and of a remarkably eaſy and quiet diſpoſition.

In the year 1699, Mr. Sayer married Miſs Mary Nevil, daughter of Admiral Nevil, who, though not a firſt-rate beauty, had no ſmall ſhare of wit, and charms ſufficient to have rendered her a very agreeable woman, had ſhe not wanted the great requiſite to all female beauty, a virtuous mind.

After the death of Admiral Nevil, his widow married Colonel Saliſbury, a gentleman whoſe character for honour and bravery, might have entitled him to the poſſeſſion of a much more deſerving woman.

By the marriage articles between Mr. Sayer and Miſs Nevil, it was agreed, that the young Lady's ſhare of the eſtate, deviſed by the Admiral, which being undivided, was thought to be upwards of 3000l. beſides jewels, ſhould be valued in the ſettlement in the following manner: Mr. Sayer, on the receipt of 1000 l. was to ſettle on his wife 50 l. pin money, and 100 l. a year for every thouſand pounds of the reſidue of her fortune; which annuities were to be employed by truſtees, for the ſeperate uſe of the wife.

Scarce a fortnight had paſſed after the conſummation of the nuptials, before Mrs. Sayer kicked her huſband, and upbraided him in ſuch a manner, that it was eaſy to foreſee that ſhe would ſoon procure herſelf that ſatisfaction in a lover, which ſhe took care to inſinuate was not to be obtained from her huſband. The poor man however was blind to all her faults, and doated on her almoſt to diſtraction.

At the end of about a year Mrs. Sayer was delivered of a daughter, who died in her infancy. Her huſband's love for her, after ſhe had made him a fa-

ther, increaſed to ſuch a degree, that he thought nothing two good for her that was in his power to procure. He made her frequent and valuable preſents, took a town-houſe for her in Liſle-ſtreet, Leiceſter-fields, ſet up an equipage, and endeavoured by every poſſible means to recover her wandering affections; but the lady did not give herſelf the trouble to conceal the diſguſt ſhe had conceived againſt him, publickly declaring that ſhe would never again admit him to her bed.

Hereupon this unfortunate huſband conſoled himſelf with the company of other women; but the common conſequence of a promicuous commerce with the ſex ſoon overtook him; he contracted a filthy diſorder; and ſo little care did he take to keep the affair a ſecret, that his wife and all the family knew the reaſon of his taking phyſick: however, the diſeaſe was ſoon cured, and his health perfectly re-eſtabliſhed.

Whether Mrs. Sayer dreaded the ſcandal of ſuch another adventure, or whether it aroſe from her natural inconſtancy, we will not pretend to determine, but ſoon after this accident, ſhe of her own accord admitted her huſband to participate the pleaſure of her bed. The ill effects of her good nature ſoon appeared on her ſide; the diſeaſe ſeized her, and if the Surgeon's word was to be relied on, it was a myſtery how ſhe came by it: be this as it will, Mr. Sayer was obliged to go through another courſe of phyſic.

The lady was not ſoon appeaſed; whoever was the cauſe of the late diſaſter, the huſband bore the blame of it: ſhe once more forbad him her bed, and conſoled herſelf with the company of a gentleman of the army; but we muſt ſuppoſe that the huſband ſometimes ſhared in her favours, for in the year 1703, ſhe again became a mother. After the birth of this child ſhe indulged her paſſions ſtill more freely, nor did ſhe ſcruple to ridicule her huſband, whoſe want of vigour, ſhe pretended, was a ſufficient juſtification

tification of her crime; and in this ſcene of ridicule ſhe was aſſiſted by her mother, (Mrs. Saliſbury,) who was almoſt conſtantly with her.

Thus did theſe ladies employ themſelves in rendering miſerable the life of one of the moſt inoffenſive men in the world, and one whoſe happineſs it was equally their duty and intereſt to promote; and at length their malice aroſe to ſuch a height, that they fomented a quarrel between Colonel Saliſbury and Mr. Sayer, from which a challenge enſued, the conſequences of which, theſe unworthy women flattered themſelves, would be the death of both their huſbands.

The particulars of this affair are as follow: Colonel Saliſbury being in company with Mrs. Sayer, took an opportunity to reprove her for her infidelity to her huſband; on which ſhe returned him ſuch a volley of ill language, that, provoked beyond all patience, he threw the remains of a diſh of tea at her, part of which flew in her face. This was what the women wanted; the mother now reſented the affront offered to her daughter, and both of them together joined to work up Mr. Sayer to ſuch a pitch of reſentment as to demand ſatisfaction of the Colonel.

Sayer having once agreed to revenge the ladies quarrel, they took him whilſt he was warm, and it is ſaid that Mrs. Sayer herſelf drew up the challenge, and ſent it away to the Colonel. The time and place of meeting being appointed, the two gentlemen took coach, and drove towards Montague-houſe in their way to which the Colonel began to diſcourſe with Mr. Sayer on the occaſion of the quarrel, not through any fear of fighting, for his courage and ſkill were well known, but to prevent the miſchief that would moſt probably accrue to both of them, if they purſued their preſent plan.

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When Mr. Sayer was brought into temper, which was eaſily effected, " Son Sayer, " cried the Colonel, " let us come to a right underſtanding of this buſi- " neſs. 'Tis very well known that I am a ſwordſ- " man, and I ſhould be far from getting any honour " by killing you : but to come cloſer to the point in " hand ; Jack Sayer, thou ſhouldſt know, for all the " world knows, that thy wife and my wife are two " whores ; they want to be rid of us both at once : " if thou ſhouldſt drop, they'll have me hanged for " it afterwards." Theſe obſervations, ſo full of truth and reaſon, opened Mr. Sayer's eyes : the coach drove back again ; and the Colonel and his ſon-in-law parted good friends, to the great mortification of their reſpective wives.

Mrs. Sayer had amorous connections in the country as well as in town, and it was well known to all the ſervants, that the Curate of Biddleſden's authority in the family was greater than Mr. Sayer's. At length Mr. Lucras, (for that was the gentleman's name) came to London, where he ſickened of the ſmall pox, and grew ſo bad that there was no hope of his recovery : finding his end approaching, he ſent to Mr. Sayer, deſiring, on the requeſt of a dying man, a viſit from that gentleman, to whom he wanted to communicate ſome affairs which hung heavy on his conſcience.

Mrs. Sayer, who had a tolerable gueſs at the ſick man's buſineſs, would not permit her huſband to viſit him, for as her mother had not had the ſmall pox, ſhe inſiſted that there was the utmoſt danger of her catching that diſorder ; yet the footman was permitted to go backwards and forwards between Mr. Lucas and the family, and the cenſorious world was apt to imagine, that there was as much danger of the infection being conveyed through his means as that of Mr. Sayer ; and in the end the parſon died without ſeeing that gentleman.

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The place of the parſon was ſupplied by a Colonel in the army, and a greater man than either the Colonel or the Curate, was ſuppoſed to have connections with Mrs. Sayer; for he was known to make her a preſent of a compleat ſet of china, which ſhe told her huſband ſhe had won at Aſtrop-wells,

We now come to that part of our hiſtory, in which Mr. Noble makes his firſt appearance. He was the ſon of one Mr. Noble, who kept a well-frequented coffee-houſe at Bath. As his parents were people of ſome ſubſtance, they had given him a very liberal education; and his mother was a woman of ſo much virtue, that when her ſon came rattling to Bath with Mrs. Sayer in a coach and ſix, ſhe ſhut the door againſt him.

Mr. Noble's buſineſs as an attorney, was ſaid to be of the inferior kind, when he was recommended to Mr. Sayer, by a gentleman who wiſhed well to both parties, and little imagined that Noble would have made ſo ungrateful a return to Mr. Sayer's friendſhip, as it appear he afterwards did. He was but a little while acquainted in the family before he was too much in the good graces of Mrs. Sayer, and was indulged in ſuch liberties as would make a man of an amorous complexion envy his good fortune.

Mrs. Sayer and her mother, however, thought of other matters as well as gallantry; and finding Noble to be a fellow fit for buſineſs, they concerted with him a project to poſſeſs themſelves of a conſiderable part of Mr. Sayer's eſtate; who at length, to purchaſe that peace and quietneſs he had long wanted, conſented, in the year 1709, to a deed of ſeparation, by which he made over ſeveral lands in Biddleſden, of the yearly value of 150 l. in truſt for the uſe of his wife, beſides 50 l. a year pin-money, for her ſeperate maintenance; and in this deed was a covenant or clauſe, importing that, by the conſent of the mother, Mrs. Saliſbury, firſt ſignified under her hand,

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it might be lawful for Mrs. Sayer to live how, where, and with what man ſhe pleaſed; and Mr. Sayer covenanted not to ſue or moleſt any perſon for harbouring her. He was ſo weak as to truſt the drawing of this deed to his wife's council, and had none of his own to examine it.

Soon after the execution of this deed Mrs. ~~Noble~~ Sayer was brought to bed at Bath, at a houſe provided for her by Mr. Noble; but that the birth of this child might not make too much noiſe, a letter was contrived and ſent to Mr. Sayer in Auguſt, 1710, intimating that he was pricked down for the Sheriff of the county of Bucks; and Mrs. Saliſbury, in order to get him out of the way, offered to ſupply him with money, which he accepted, and going over to Holland, promiſed to remain there till the Lady-day following.

Not many days before Mr. Sayer ſet out, when he was ſo lame of the gout that he could hardly ſtir, his wife and Mr. Noble plied him with punch till he was dead drunk: but this debauch, inſtead of making him worſe, as it is ſuppoſed they intended it ſhould, perfectly cured him of the fit of the gout.

The night before his departure, he made Noble a preſent of a pair of ſaddle piſtols and furniture worth above 40 l. Mrs. Sayer never wrote him but two letters all the while he was in Holland; and her maid talking to her one day of the danger her maſter was in at ſea, ſhe ſaid that "She ſhould be ſorry his man "James, a poor innocent fellow, ſhould come to any "harm; but ſhe ſhould be glad, and earneſtly wiſhed "that Mr. Sayer might ſink to the bottom of the Sea, "and that the bottom of the ſhip might come out." Affidavit was made of this on the 9th of February, 1712.

When Mr. Sayer was gone abroad, Noble began to ſhew his conſequence more than ever. He obliged the truſtees, nominated in the marriage articles, to relinquiſh,

relinquiſhed and aſſumed the authority of a ſole truſtee. This was in purſuance of an order of the Court of chancery, and Mr. Noble was ſollicitor in the cauſe.

Before the execution of the abovementioned deed of ſettlement, Noble made but an ungrateful return for the kind entertainment he met with at Biddleſden, it having been ſworn that he was ſeen to go to bed to Mrs. Sayer.

On the 23d of May, 1711, Mrs. Sayer went abſolutely away from her huſband, and carried off with her in Exchequer bills, tallies, and other effects, to the value of 2000 l. Her lodgings were private, but Mr. Noble had free acceſs at all times, and at all hours. On the 5th of March 1711, ſhe was delivered of a ſon by Doctor Douglas: Sir David Hamilton who had been to viſit her ſome time before her lying-in, was retained, and promiſed to deliver her, but at the time of her wanting him for that purpoſe he happened to fall ſick, which was the reaſon ſhe had Doctor Douglas, who was recommended by Mrs. Scoffing, the midwife. Mrs. Sayer being aſked by her, why ſhe would be laid by a man? replied, ſhe was always laid by men, and ſhe thought it more their buſineſs than a woman's. Upon Mrs. Sayer's elopement, Mr. Sayers put this advertiſement in the Poſt-Boy of March 1, 1712.

"Whereas Mary, the wife of John Sayer, Eſq. late "of Liſle-ſtreet, St. Ann's, went away from her "dwelling houſe on or about the third of May laſt, "in company with Elizabeth Nevil, ſiſter to the ſaid "Mary, and hath not ſince been heard of, and hath "carried away near 1000 l. in money, beſides other "things of a conſiderable value, and is ſuppoſed to "go by ſome other name; he deſires all tradeſmen "and others, not to give her any credit, for that he "will not pay the ſame."

Jane Terry, ſervant to Mrs. Sayer, ſwore that in 1711, Mrs. Sayer had a great belly, had milk in her breaſts, and looked like a woman with child; that this deponant immagined ſhe had taken lodgings at Strand on the Green for the purpoſe of being brought to bed; but as ſhe was pretending to go thither, Noble put her into a coach in Piccadilly, and conveyed her to lodgings where ſhe was delivered.

The reader, however, is not to ſuppoſe that Mr. Noble had entire poſſeſſion of Mrs. Sayer's perſon without a rival: but his pockets were filled with money, and he lived well by the connexion. When ſhe travelled from the country to town, or from London to the country, he was generally one of her attendants, and it was no ſecret on the road what bnſineſs Noble had at Biddleſden. Whenever he was with her, ſhe was always denied to every body elſe; yet ſometimes, as ſoon as he was gone, ſhe would go into other company, that ſhe liked quite as well as his.

In Michaelmas term 1711, Mr. Noble being the Attorney in the cauſe, Mr. Sayer was taken in execution for 400l. at the ſuit of the truſtees (but without his privity) in truſt for Mrs. Saliſbury. This was for a judgment confeſſed by him for form ſake, to protect his goods from his creditors, while he was in Holland. The real debt, as Mr. Sayer ſaid, was not above 70l. however he turned himſelf over to the Fleet, and being a priſoner there, opportunity was taken to deliver ejectments in Hillary Term following; and in February the ſame year, Mr. Sayer exhibited his bill in Chancery for a relief againſt theſe ſuits, and the deed of ſeperation, which he obtained.

An injunction, and ſeveral inſufficient anſwers were put in; but before the ſame were referred, the ungrateful and inhoſpitable Noble compleated the meaſure of his crimes, and finiſhed the ſuit with his death. In this ſuit Mr. Noble foreſwore himſelf; at one time ſwearing he was Mr. Sayer's Attorney, at another time that he was not. We have ſeen how

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he was in poſſeſſion of Mr. Sayer's wife, money, jewels, perſon, and eſtate. He wore his cloaths, ſword, and watch, ſtrutting about in Mr. Sayer's roqueleau, which coſt twenty-ſix guineas.

His ſuits with this unhappy gentleman were the main of his buſineſs as an attorney, not that he wanted qualification to recommend him to a larger ſhare of it. He had a ſtock of ſenſe, and had he preſerved his character for the indelible ſtain of this the foulеſt of actions, the man would have worn a fair reputation, and his converſation been far from contemptible. His chambers were in New-Inn, and there in Michaelmas Term 1712, upon oath of Mrs. Sayers adultery with him, and of her elopement, he was arreſted in an action of 500 l. with a judge's order for bail. Of this matter more will be ſaid in Farrington the Bailiff's depoſition.

The execution Noble had ſued Mr. Sayer to, was the occaſion of his lying in the Fleet ſo long. The money his wife ran away with, would have gone a great way to have cleared him of all his debts. His greateſt creditor was Mrs. Nevil his ſiſter-in-law, to whom he owed above a thouſand pounds. He offered his wife two hundred pounds a year when he was in the bailiff's hand, but ſhe would not take it; and as if it was not enough to have made him miſerable while ſhe lived with him, ſhe ſeemed reſolved that his miſeries ſhould have no end but with his life. This made him very induſtrious to come at her, knowing, that if he could get the poſſeſſion of her, ſome of his effects would be ſaved.

We will now proceed to the matter of Mr. Sayer's apprehending his wife, with all enſueing circumſtances from the time of taking her, to that of Noble's conviction. It muſt not be omitted, that ſome time before Mrs. Sayer was taken, her huſband received a letter from an unknown hand, informing him, that the writer knew where was the value of ſix or ſeven

hundred pounds of the jewels his wife carried away with her. Perſuant to the advice in that letter, Mr. Sayer met the writer at the Crown-Tavern on Ludgate-hill, and by that means recovered to the value mentioned, one of the jewels being worth 150l.

He never heard of her from the time of her elopement, till, after ſuch enquiry, a friend of his found out, that Mrs. Sayer had retired into the Mint, they being all of them, the wife, and mother, and the gallant, afraid of the huſband's purſuit, and thought that place would be a ſecurity. Mr. Sayer was ſo good natured, that notwithſtanding all this provocation, he wrote ſeveral letters to his wife, offered to forgive all paſt miſcarriages, and to be very kind to her if ſhe would return to him.

When his friends had certain information where ſhe was, on Thurſday morning the 29th of January, 1712, Mr. Sayer got a warrant from Sir Charles Cox to take up his wife, ſhe being gone from him, and living in a looſe, diſorderly manner. The managers of this affair took him along with them in a coach to the Mint, where the warrant was put into the hands of two conſtables, with about half a dozen aſſiſtants. At three o'clock in the afternoon they repaired with it to the houſe of Joſeph Twyford, in George-ſtreet in the Mint. The conſtable made him ſenſible, before they came in, what they were, and that they had a warrant to ſearch for a ſuſpected perſon. A very neceſſary caution to prevent the cry of an arreſt, which would have hindered the execution of the warrant, by raiſing the mob of the place, who were always ready to vindicate their pretended privileges.

Mr. Sayer went in perſon with the conſtables to Twyford's houſe, where Mr. Noble, Mrs. Sayer, and Mrs. Saliſbury, were at dinner in the back room. Upon the coming in of Mr. Sayer, and the conſtables with him, a Fray enſued, and Mr. Noble making

ing a paſs at him with the door in his hand, ran him ~~not~~ through the left breaſt, and killed him upon the ſpot.

After the murder was committed in the manner related in the following depoſitions, Mr. Noble, Mrs. Sayer, and Mrs. Saliſbury, were all taken priſoners by the conſtables; and as they were carrying along the Mint, the two ladies were particularly unruly, crying out on the hard fate of their dear Mr. Noble. A gentleman, who was a ſpectator of this event, ſeeing the multitude began to be moved a little, bad one of the conſtable's aſſiſtants advance the bloody ſword, and carry it before them, which hindered the rabble's ſtirring; no creature being ſo barbarous, as to interrupt the courſe of juſtice in a caſe of blood. However, the two women, who ſeemed in no concern but for Noble, ſo alarmed the ſtanders by, that the conſtables were twice or thrice ſtopt by ſtrangers.

Money enough was offered for his reſcue; but the conſtables carried all three in ſafety before Ralph Hartley, Eſq. a juſtice of the peace, who, aſſiſted by another juſtice, took their examination. After two hours examination, Mr. Noble was commited to the Marſhalſea, for the murder of Mr. Sayer. While appearing in the behalf of the other priſoners, Mrs. Sayer and Mrs. Saliſbury, their caſe was debated till about ten that night, when they were committed for further examination only.

On Saturday morning the Coroner's Inqueſt was taken on the body of the deceaſed, and adjourned till the Tueſday afterwards; but the corps of Mr. Sayer having been viewed by them, was removed that night from the Mint, to his lodgings in the rules of the Fleet, in order to its interment.

The Coroner's inqueſt having found Noble guilty of wilful murder, and the ladies having been committed for aiding and aſſiſting him in that murder, they were, after ſix weeks confinement, brought to their

their trials at Kingſton Aſſizes, of which the following may be depended upon as a juſt account.

On Thurſday evening, March 12, Richard Noble, Mary Sayer, and Mary Saliſbury, were arraigned for the murder of John Sayer, Eſq. upon three ſeveral indictments, viz. One againſt Noble for wilful murder, and againſt Mary Sayer and Saliſbury as aiding and abetting the ſaid murder; one other againſt Noble upon the ſtatute of ſtabbing, and the third on the Coroner's Inqueſt. To theſe indictments the priſoners pleaded Not Guilty. The court ſet them aſide, and bid them prepare for their trial next morning by ſix.

On Friday morning at ſix the court ſat, and the priſoners were ſet to the bar, when they made ſeveral excuſes to ſtave off their trial till afternoon, becauſe that Mr. Bull (a very material evidence. as ſuggeſted by the priſoner's) was not come; the truth of this aſſertion being demanded by the court, to be made out upon oath by ſervice of ſubpæna upon Mr. Bull, the priſoners ſwore Mr. Lindſey, one of their attornies, who depoſed, that he filled up a ſubpæna for ſerving Mr. Bull, but ſpoke no further to the ſervice of it, than that a meſſenger was ſent at twelve o'clock to London to ſerve it.

This device not ſucceding, they alledged that Mr. Page the council, another very material evidence, was not come, and that he was ſerved with a ſubpæna, and they looked for him every hour. To this point Mr. Lindſey was examined again; he ſwore he ſerved Mr. Page with a ſubpæna on Sunday, and that he thought he would be at the trial. Upon further examination of him, as to this point, the court was pleaſed to take ſuch notice of Mr. Lindſey, as to check him ſeverely, and bid him three times depart the court (having taken notice of his name.) So all theſe pretences failing, the court proceeded to trial.

The

The intent of putting off the trial probably was, that the buſineſs at the other bar being diſpatched at this time, the juries returned there might be gone home, ſo more unlikely to have a ſufficient number of jurymen, that by their challenges the trial might be put off till next Aſſizes.

The Queen's Council, Mr. Serjeant Comyms and Mr. Not, opened the indictments, and ſet forth to the court and the jury, how heinous the crimes of the priſoners would appear on the evidence: and the firſt witneſs they called was Daniel Reeves, who proved that one James Hannon (an Iriſhman) on Thurſday evening before the trial, came to him, and ſhewed him copies of the examination, taken on the Coroner's Inqueſt, of Samuel Durham, Thomas Gardner, and John Coe, (three of the Queen's moſt material witneſſes proving the murder.) Hannon then gave him in money half a crown, and deſired him to procure or hire two other men to ſwear with him, againſt thoſe examinations, and promiſed him two guineas for himſelf; the other two men were to have what Reeves could agree with them for, and Mr. Noble would give Reeves a larger ſatisfaction than he could expect.

On Friday evening Hannon came to him again, and gave him another half crown to ſpend upon Durham, Gardner, and Coe, and ordered him to make what agreement he could with them to ſtifle and buy off their evidence, and on Saturday Hannon would bring him part of the money. On Saturday Hannon came to Reeves again, to know what progreſs he had made; invited him to dinner on Monday, and deſired him to bring the other two men Reeves was to hire, with him, he having a note in writing under his own hand, where to find his houſe, viz. At No. 10. in College-ſtreet, Weſtminſter.

On

On Monday morning Hannon came to Reeves again, gave him a writing in the nature of an affidavit drawn on ſtampt paper by the priſoners, which he, and the two men he pretended he had hired, were to ſwear before a judge, and gave him nine ſhillings in money then.

Whilſt Hannon was tampering in this manner with Reeves, the latter intimated it to the proſecutor's attorney, and after he had got this affidavit from him, he excuſed himſelf from his company, and carried it to this gentleman. Reeves ſhuffled off dining with him, and when Hannon came to him again in the afternoon, Reeves ſtill treated with him till the evening, when a warrant was procured from Juſtice Hartley, and inſtead of two perſons who ſhould have been the two that were to forſwear themſelves, two conſtables appeared, whereupon Reeves told Hannon, theſe are my two friends. Hannon embraced them very civilly, and a third conſtable coming up according to order, Reeves immediately ſeized Hannon's ſword, and ſaid to the conſtable, " you charge me " with this gentleman." They took him directly before Juſtice Lade, where, upon examination, he denied the fact, but what he did in relation to the money, he hoped to juſtify, becauſe the priſoner's council told him he could. Hannon was kept in cuſtody all that night, and committed, for want of bail, to the Marſhalſea next morning.

The words of the abovementioned affidavit are as follow, viz.

' George Smith and Samuel Shipman, both of the pa-
' riſh of St. Botolph, houſekeepers; and Daniel Reeves,
' of the pariſh of St. George, Southwark, make oath,
' that on or about the 29th day of January laſt, theſe
' deponents ſaw Mr. Cox and Mr. Hill, the con-
' ſtables, with ſeveral other perſons, in company of
' Mr.

'Mr. Sayer, the deceaſed, to go from Mr. Sherlock's
'Houſe in Queen-ſtreet in the Mint, a Brandy-ſhop,
'to one Mr. Twyford's houſe, wherein they entered,
'and on their being aſked what their buſineſs was, refuſed
'to tell. And theſe deponents heard the deceaſed Mr.
'Sayer (as he went into the ſaid Twyford's houſe) threa-
'ten or ſay, that he would be revenged on that villain
'Noble, and on his wife, and that he would kill them
'then, or be killed. And theſe deponents ſaw the
'deceaſed go up ſtairs and come down again, leaving
'both the conſtables above ſtairs; and on his coming
'to the parlour door (where Mr. Noble was) drew
'his ſword partly out, and ſaid, "Damn you, you vil-
"lain now I have found you," and inſtantly pulled at
'the ſaid door, and broke off the bolt that was with-
'inſide of the ſaid door, and thereupon the deceaſ-
'ed, after his ſword was almoſt wholly drawn out,
'ſtept backwards, and in about a minute, went to
'go down the two ſteps into the parlour, and ſeemed
'to be puſhed down, and then ſome ſaid he was in a
'fit, and fetched him water. But theſe deponents
'ſay, that theſe deponents ſtood very near the deceaſ-
'ed, yet could not ſee, nor do they believe that any
'other perſon conſidering the ſituation of the place,
'and the little door behind but part open, could ſee
'who gave the ſaid wound. And theſe deponents
'further ſay, they know Samuel Durham to be a
'poor neceſſitous taylor in the Mint, of a moſt
'infamous character, and are certain he was not in
'the ſaid houſe till after the deceaſed was wounded,
'and the ſword which James Terry (the deceaſed's
'footman) and others then preſent ſaid, gave the ſaid
'wound, was taken up in the kitchen; and further
'ſay, that before the deceaſed broke open the ſaid
'door, they ſaw the ſaid Terry with a cane in one
'hand, and a braſs-hilted ſword undrawn in his other
'hand. And laſtly, theſe deponents heard the ſaid
'Terry abuſe the ſaid Mrs. Sayer, giving her very

'bad words; he alſo told her, that rather than fail, 'he would offer his ſervice to the ſheriffs to hang 'her, and that he would ſee the end of her; and 'ſhe anſwered, "Sirrah, it is hard to be abuſed by 'the maſter and man too." And theſe deponents 'being in the room when the deceaſed fell down, 'heard the ſaid Mrs. Sayer ſay no more words, but 'believe they would if ſhe had ſaid any.'

It will preſently be perceived, that if Hannon could have got ſome bold witneſſes to have ſworn all this, which he laboured to do, Noble might have come off.

Facts preceeding the murder, proved by the following depoſitions.

John Farrington depoſed that he was bailiff to the ſherriff of Middleſex, and had a warrant delivered him at the deceaſed's ſuit againſt the priſoner Noble: he arreſted Noble in his chambers, and when he was arreſted, Noble declared and ſaid, G—d d——n him, if he had Sayer the plaintiff there, he would ſtick his ſword through his body, and he would do it whenever he met him next; but when he arreſted Noble, he was ſick, and the deceaſed (the plaintiff) ordered the witneſs not to take him out of his chambers, but to uſe him civilly. It muſt not be forgot that Mr. Noble was objected to the bailiff Farrington's evidence for the Queen, ſaying he ſwore maliciouſly, becauſe when Noble was under arreſt, he extorted, ten guineas, and for that the next term the priſoner Noble moved the court, and made him refund.

The bailiff had aggravated the priſoner's guilt by giving out, that when he had him under arreſt, Noble ſaid he would ſend Sayer out of the world the firſt opportunity; Farrington could not help replying, "You

" You have had much of his goods, and laid with " his wife, why ſhould you do ſo?" Noble anſwered, D—n him, he would.

Jeremy Barnard depoſed, he was ſummoned to Kingſton aſſizes, on the jury upon life and death, and that one Luke Jones, carried Mr. Stagg an attorney by water, on Friday the 6th of March, and telling him he was ſummoned on this jury, Mr. Stagg ordered him to tell Barnard, if he was got off, Stagg could help him to twenty pounds: Jones aſked on what account; Stagg made anſwer, " If he would " bring in the gentleman that killed the man in the " Mint Not Guilty," they having a thouſand pounds and upwards, and would ſpend it all on the jury to ſave his life, for it lay in the breaſt of the jury only, becauſe they had been with the Queen to get a pardon, but could not get one.

Luke Jones was called next, and proved the ſame: then the tipſtaff was ſent for Mr. Stagg, but he could not be found, ſo a ſummons was ordered to be taken out againſt him to appear before the Lord Chief Juſtice in London.

Theſe ill practices being diſcovered to the court, the jury ſummoned on this trial were ſet aſide, and a jury called from the Niſi Prius bar: each juryman called was ſworn to his freehold and copyhold of ten pounds *per Annum*, and whether they were not wrote or appealed to on behalf of the priſoners at the bar; then the three priſoners challenged peremptorily to the number of ſeventy five, viz. Mr. Noble challenged twenty, Mrs. Saliſbury twenty, and Mrs. Sayer thirty-five, as indicted for Petit-Treaſon. After this number challenged; upon oaths being adminiſtered, two appeared to have been applied to on behalf of the priſoner, and were ſet aſide by the court. The jury being ſworn, the witneſſes for the Queen were called.

Juſtice, Peters depoſed, that in 1709, a duel was ſtired up by the contrivance of Mrs. Saliſbury and Mrs. Sayer, between their two huſbands, the deceaſed and Colonel Saliſbury, and the challenge ſent by Mr. Sayer; but when they met upon it, the Colonel very readily told his ſon Sayer, that the deſign of this was only that their two bad wives might be both at once rid of their huſbands, viz. That the Colonel being a ſwordſman might kill Sayer, and afterwards be hanged for it.

Joanna Manley depoſed, that in Auguſt 1710, after Noble's acquaintance with Mrs. Sayer, the deceaſed went into Holland, and returned about Lady-Day, during which time Mrs. Sayer was big with child and her mother and Mrs. N—— privy to it: and during Mr. Sayer's abſence, the witneſs ſeveral times ſaw the two priſoners, Noble and Sayer, in bed together. Her miſtreſs (Mrs. Sayer,) deſired her to give her maſter ſome poiſon, and if this witneſs would her miſtreſs would get it her.

Pen Howell, their ſervant, depoſed, that ſhe was ſent by the priſoners for Two-penny-worth of Laudanum, to make the deceaſed ſleep; and bringing word from the apothecary, that quantity was enough to make any body ſleep their laſt ſleep, the three priſoners interrupted her, and bid her hold her tongue, a ſlut, but give the whole doſe to her maſter, and ſay nothing to him.

Ann Scoffin, the midwife, depoſed, that Mrs. Sayer, on the 5th of March, 1711, was delivered of a male child by Dr. Douglas: ſhe paſſed for a widow, and Noble and ſhe for brother and ſiſter. This child was nurſed at Hoxton, and died and was buried there in a little while. This Mrs. Sayer was delivered at a court in Brooks-ſtreet, Holborn, with a large patch on one ſide her face, and the other ſide of her face lay on the pillow. There was a great familiarity between them, and that the child, in her opinion, was

was very like Noble, and ſhe believed him to be the father of it.

Mr. Marten being ſubpæna'd and ſworn, ſaid, he knew Noble and Mrs. Sayer: Noble deſired him to take convenient lodgings for her to lie in at, which he did, and ſhe was delivered of a male child about the 5th of March, 1711, by Doctor Douglas, in the preſence of Mrs. Scoffing the midwife, at a houſe in a court in Brooks-ſtreet, Holborn.

Facts proving the murder.

Francis Cox depoſed, that he was one of the conſtables of the pariſh of St. George the Martyr, in the Borough of Southwark: that on the 29th of January laſt, the deceaſed John Sayer, Eſq. with two other gentlemen, came to his houſe with a warrant from Sir Charles Cox, for taking into cuſtody the body of Mary Sayer his wife, who, Mr. Sayer ſaid, was gone from him without his conſent: that as he went to execute his warant, he called one Thomas Hill, another conſtable, to aſſiſt him; after which they went into the Mint, and this witneſs being informed by Mr. Sayer that he believed his wife was at Twyford's houſe in George-ſtreet in the Mint, this witneſs having found out Twyford's houſe, he knocked at the door, and Twyford came, but refuſed opening the door at firſt, till the ſaid Mr. Cox told him he was a conſtable, had a warrant, and was come to ſearch for a ſuſpected perſon in his houſe, and that he would not hurt a hair of his head. Twyford opened the door to them, the conſtables beckoned to their aſſiſtants, and they all went in, Mr. Sayer running after them: the two conſtables and Mr. Sayer went up ſtairs, and there the deceaſed ſaid he ſaw ſome of his wife's cloaths and then ſaid he believed ſhe was in the houſe: and whilſt this witneſs went into the other little room, Mr. Sayer and the

other

other conſtables were gone down ſtairs; and before this witneſs got down, he heard a great noiſe and ſcreaming out in a room below; whereupon making great haſte down, the other conſtable, and ſeveral others, cried out to him, Mr. Sayer is dead, and the gentleman that killed him breaking out b ckwards to make his eſcape; thereupon this witneſs went round the houſe into the garden to ſecure him, where he found a naked ſword in the hand of Mr. Saver's footman, and bloody eight or nine inches; and Mr. Noble, Mrs. Sayer, and Mrs. Saliſbury, being in the room together, he apprehened them all three, and carried them before Ralph Hartley, Eſq. Juſtice of the Peace.

Thomas Hill, the other conſtable, ſpoke to the ſame purpoſe, of his going with a warrant to Twyford's houſe; that Mr. Sayer went down firſt, and he followed him at the foot of the ſtairs: there being a door leading in to the back room, Mr. Sayer laid hold on the door and pulled it open, and immediately the deceaſed fell a little back, and laid his hand on his own ſword, but did not draw it above a foot for want of ſtrength. This witneſs puſhing into the room before Mr. Sayer, Mrs. Saliſbury faſtened on his collar, and endeavoured with all her power to keep him out of the room, and as ſoon as he had got in, Mr. Sayer followed immediately, fell down, and never ſpoke more; there were only Mr. Noble, Mrs. Sayer, and Mrs. Saliſbury in the room, and Noble was breaking the glaſs door to make his eſcape. The deceaſed being on the ground, the witneſs thought him in a fit only, and Mrs. Sayer ſaid 'twas only a ſham, and he was not hurt, but he preſently ſaw a wound on Mr. Sayer's left ſide, whereof he immediately died, and believes Noble gave the wound with his own ſword, which was bloody, and no other ſword was drawn all the time. Mrs. Sayer deſired him to be civil to Mr. Noble, whom

whom he had then apprehended, but ſhe took no care of her huſband.

James Terry, ſervant to the deceaſed about eight years, depoſed, that ſtaying below in the kitchen, Mr. Sayer came down firſt, and laid his hands on the top of the door, at the ſtair foot going into the parlour, and endeavoured to pull it open; but as ſoon as it was a little way open, he ſaw a naked ſword come through againſt his maſter's body, and his maſter fell back into this witneſſes arms, and clapping his hand to his left ſide, ſaid, "I am dead," or killed, or ſuch like words. The ſword was left in his maſter's body, and fell on the ground, and he verily believed his maſter received a wound on the left ſide of his body, of which he inſtantly died. The witneſs took up the ſword which had a mourning hilt, and ſeeing Twyford go round into the gardens, followed him, where he heard the glaſs windows break, and ſaw the back door open; Mrs. Sayer in the garden, Mrs. Saliſbury ſtanding on the door ſtep, and his maſter lying on the ground: he ſaid to his miſtreſs, "Lord, Madam, what have you "done? my maſter is dead, you have killed him." His miſtreſs told him, "Ah! you rogue, I'll be re-"venged of you too." Afterwards he ſaw the wound on his maſter's left ſide near the pap, which he ſaw probed, and it was four or five inches deep. This witneſs further depoſed, that his maſter had no ſword drawn at the time he received the wound, nor afterwards; and that no words paſſed between him and the party that gave the wound.

Thomas Gardner, a conſtable's aſſiſtant, depoſed, that there being a door at the foot of the ſtairs, he ſaw Mr. Sayer lay his hand on the door, and endeavour to pull it open; as the door was a little open, he ſaw Noble in grey cloaths within the room, and a naked ſword in his hand, thruſt at the deceaſed through the open part of the door, and give him a

wound

wound on the left ſide of his body; that Mr. Sayer had no ſword drawn, neither did any words paſs between the deceaſed and him that gave the wound; but the deceaſed afterwards endeavoured to draw his own ſword, then by his ſide in the ſcabbard, but could not pull it above half way out for want of ſtrength, and immediately fell down, and as he was falling the witneſs heard Mrs. Sayer ſay, "That the "deceaſed had a great many ſham fits, and that this "was one of them," or ſuch like words; and when the conſtables were taking the priſoners away, Mrs. Sayer aſked Noble, "My dear, have you got my "watch?" he anſwered, "My dear, I have it in my "pocket."

There were ſeveral other witneſſes, who all depoſed to the ſame effect, particularly Capt. Alkern and Mr. Anthony Sherlock, who ſwore that Twyford had ſaid he had told Noble he might go away if he pleaſed.

The witneſſes for the crown being all examined, the priſoner Noble made a long defence for himſelf: he had given the court abundance of trouble, the reaſon of which has been mentioned; and when it came to his turn to plead his own cauſe, and that of the other two priſoners, he did it like a man who deſerved a better one. He ſaid, 'That the deceaſed 'Mr. Sayer uſed his Lady moſt barbarouſly; that he beat her, called her names, and gave her the foul diſeaſe: he aggravated his carriage towards her in the moſt provoking manner he could; ſaying, he would make out the truth of his aſſertions by proofs: 'he ſet forth the deed of ſeparation and the mar-'riage articles, arguing, that upon thoſe deeds he 'did not queſtion the priſoner (Mrs. Sayer) would 'be thought a perſon ſole and apart from the de-'ceaſed at the time of his death: that Mr. Sayer 'could not pretend his widow had robbed him, 'and run away with his jewels, &c. ſhe having a

'right

'right to them, they being reſerved her by her mar-
'riage articles: that the deceaſed could have no pre-
'tence to retake either them or his wife; for as to her,
'ſhe was lawfully ſeparated; ſhe was forced to go
'from him on account of his ill uſage of her. He
'juſtified his being in Mrs. Sayer's company as her
'attorney and truſtee; that he was then with her
'about buſineſs in private, when an extraordinary
'noiſe and confuſion of a crowd of people in the
'houſe, together with the deceaſed's breaking open
'the door, pulling off the bolt and one hinge of it,
'ſurprized him and the priſoners: that they all re-
'tired to the back door, which not being able to get
'open, and a further terror and confuſion ariſing from
'ſuch a deſperate place as the Mint, ſeizing them, he
'ſtabbed the deceaſed: he owned he knew before-
'hand that Mr. Sayer was in the houſe; that indeed
'is true (ſaid he) and he did not at all doubt of juſ-
'tifying what he had done, even with all theſe dan-
'gerous circumſtances, the rather for that the deceaſed
'came with a warrant ſo very ill grounded, and he
'knew he fought for his life, he having before drawn
'his ſword on him, and brought a piſtol to his
'chambers on purpoſe to ſhoot him: he ſet forth
'how he was recommended to Mrs. Sayer's buſineſs,
'and his management thereof as her attorney and
'truſtee: that he had often endeavoured and ſolli-
'cited an accommodation; that the articles of ſepa-
'ration were drawn before he was employed as an at-
'torney: he inſiſted, that in the courſe of his endeavour
'for a reconciliation, Mrs. Saliſbury had engaged him
'to Mrs. Sayer, her daughter, that very day, to ſol-
'licit it.'

This is the ſubſtance of what he urged in his defence: the priſoners then called their witneſſes, and proved the executing the marriage articles and deed of ſeparation. It was obſervable, that there were crowds of people whom they had engaged to be

there on purpoſe to make a hurry, and embarraſs the court; ſome have thought between two and three hundred people. The ſubſtance of their firſt witneſs's evidence was:

That the deceaſed ſome time ago broke open the door upon the priſoner (Mrs. Sayer) to kill her with his penknife; that this witneſs was privy and acquainted with Mrs. Sayer during Noble's converſation with her, and never knew her to be with child, or that ſhe ſeemed bigger than uſual: that the priſoner (Mrs. Sayer) before her acquaintance with the priſoner Mr. Noble, endeavoured to obtain a divorce in Doctors-Commons; that the deceaſed ſeveral times beat his wife, and ſometime ſince went to Mr Noble's chambers with a piſtol in his hand to kill him; that this witneſs met the deceaſed upon the ſtairs, which circumſtance he told to another perſon.

This perſon appeared alſo, and proved the ſame, as it was told him by the other witneſs; he alſo proved Noble's wreſting the deceaſed's naked ſword from him when he offered to ſtab him through the back, and that the deceaſed was cured of the foul diſeaſe.

Several witneſſes were called to the circumſtances of the murder.

The firſt was a woman ſervant at the Red-Lyon in George ſtreet in the Mint, who ſwore ſhe was in the backſide of her maſter's houſe waſhing, when the two conſtables came to Twyford's houſe: that they knocked at the door, and refuſed to tell their buſineſs, or whom or what they wanted: that ſhe went in with the conſtables and Mr. Sayer, and nobody elſe with him: that the deceaſed came into the houſe with his ſword about three inches out, went up ſtairs with the two conſtables, came down by himſelf, had his ſword drawn, and ſwore he would make an end of the priſoner. Mr. Sayer broke open the door, went into the room and fell down dead, all

which

which ſhe ſaw, ſhe being in the kitchen below, but did not know how he died.

Men were alſo called, who ſwore that Mr. Sayer ran into the houſe with his ſword drawn about four inches, ſwearing he would kill the priſoner Noble, and to the other points, agreeing with thoſe mentioned in the affidavit, which Mr. James Hannon endeavoured to ſuborn Reeves to ſwear to.

Others were called to invalidate the evidence given of the priſoner's ſwearing to ſtab the deceaſed when he met him.

Others ſwore that they were in frequent company with the priſoners Noble and Mrs. Sayer, and never knew any diſorderly or unbecoming behaviour between them, but thought the priſoner Noble came to her only as her attorney.

Several others were called to the reputation and character of the priſoners, particularly a neighbour of Mrs. Sayer's in Liſle-ſtreet.

The witneſs on both ſides being examined, the priſoners at the bar prayed council, and had two aſſigned them, Mr. W—- and Mr. D.— who inſiſted that this warrant from a Juſtice of the Peace was ill grounded, and made without legal authority; that without legal authority, a multitude came into the ſaid houſe. That the priſoners had no notice they were conſtables, and that the deceaſed broke open the door upon the priſoners: upon which points they moved for a ſpecial verdict; intending thereby to have judgment reſpited.

After the arguments of the council for the queen, and for the priſoners were over, two witneſſes for the queen examined before, were called up again, and one of them proved, that the man of the houſe where the priſoners were taken, told them ſome few days after the murder, that immediately upon the coming in of the conſtables, he ran through his garden around the houſe to the back door, and told

Mr. Noble the conſtables were come and wanted either him or himſelf. That he opened the back door to the priſoner Noble, and ſaid to him, Sir, you may go your way if you pleaſe. Upon which Twyford's examination, taken by John Lade, Eſq. Juſtice of the peace, was read; Twyford owned his hand ſubſcribed to it, and it agreed with this evidence. The other ſwore to his hearing Twyford ſay the ſame when he was before the juſtice. There were here, and at the Coroners Inqueſt, four witneſſes to Twyford's evidence.

After the witneſſes and council had been heard, it was reſolved that the warrant being ill founded was not material, the deceaſed was killed, and he could juſtify the action of taking up his wife; that it was certain the priſoner Noble knew of the deceaſed being there, becauſe he had confeſſed it already. Upon the whole, the evidence was ſummed up to the jury, with admirable clearneſs, impartiality and eloquence; the court having, during the courſe of the trial, which laſted from ſix that morning till one the next, ſhewn a patience very rare, where ſo much needleſs trouble was given. The jury were allowed ſome little refreſhment at the bar, while the court was ſitting. Then a bailiff was ſworn, and the jury went out to agree on their verdict, which they brought in on Saturday morning about ten o'clock, that Richard Noble was guilty on all three indictments, and the other priſoners, Mary Sayer and Mary Saliſbury, Not Guilty.

On Monday, when Mr. Noble was brought to the bar to receive ſentence, he made a very moving ſpeech to the court, to the following purpoſe.

My

My Lord,

I AM ſoon to appear and render an account of my ſins to God Almighty. If your lordſhip ſhould think me guilty of thoſe crimes, I have been accuſed and convicted of by my jury, I am then ſure your lordſhip will think that I ſtand in need of ſuch a reputation, ſuch a humiliation for my great offences, ſuch an abhorrence of my paſt life, to give me hopes of a future one, that I am not without hopes that it will he a motive to your lordſhip's goodneſs, that after you have judged and ſentenced my body to execution, you will charitably aſſiſt me with a little time for the preſervation of my ſoul.

If I had nothing to anſwer for but killing Mr. Sayer with preceeding malice, I ſhould have no need to addreſs my ſelf to your lordſhip in this manner. It is now too late to take advantage by denying it to your lordſhip, and too near my end to diſſemble it before God. I know my lord the danger, the Hell that I ſhould plunge myſelf headlong into; I know I ſhall ſoon anſwer for the truth I am now about to ſay, before a higher tribunal, and a more diſcerning judge than your lordſhip, which is only in heaven; that I did not take the advantage to kill Mr. Sayer, by a thought or apprehenſion that I could do it under the umbrage of the laws, or with impunity, and nothing was more diſtant from my thoughts, than to remove him out of the world to enjoy his wife (as was ſuggeſted) without moleſtation. Nor could any one have greater reluctance or remorſe, from the time of the fact to the hour of my trial, than I have had, though the proſecutors reported to the contrary, for which I heartily forgive them.

My council obliged me to ſay on my trial, that I heard Mr. Sayer's voice before he broke open the door; I told them as I now tell your lordſhip, that

I did

I did not know it was him, till he was breaking in at the door, and then, and not bef re, was my ſword drawn, and the wound given, which wound, as Dr. Gath informed me, was ſo very ſlight, that it was a thouſand to one, that he died of it.

When I gave the wound, I inſenſibly quitted the ſword by which means I left myſelf open for him to have done what was proved he attempted, and was ſo likely for him to have effected, viz. to have ſtabbed me: which are circumſtances that manifeſt the greatneſs of my ſurprize.

When I heard the company run up ſtairs, I was alarmed, and in fear; the landlord telling me inſtantly thereupon, that the houſe was beſet, either for me or himſelf, added to my confuſion. I then never thought or intended to do miſchief, but firſt bolted the fore door, and then bolted and padlocked the back door, which was glazed, and began to faſten the ſhutters belonging to it, deſigning only to ſcreen myſelf from the violence of the tumult. When he broke open the door, and not till then, I perceived and knew he was preſent: and his former threats and attempts, which I ſo fully proved on my trial, and could have proved much fuller, had not Mrs. Saliſbury's evidence been taken from me, made my fear ſo great, and the apprehenſion of my danger ſo near, that what I did was the natural motion of ſelf defence, and was too ſudden to be the reſult of preceeding malice; and I ſolemnly declare, that I did not hear or know from Twyford the landlord or otherwiſe, that any conſtable attended the deceaſed, till after the misfortune happened. It was my misfortune, that what I ſaid as to hearing the deceaſed's voice was turned to my diſadvantage by the council againſt me, and that I was not intitled to any aſſiſtance of council to enforce the evidence given for me, or to remark upon the evidence given againſt me; which I don't doubt would have fully ſatisfied your

your lordſhip and the jury, that what had happened was more my misfortune, than my deſign or intention.

If I had been able, under the concern, to remark upon the evidence againſt me, that Mr. Sayer was but the tenth part of a minute in breaking open the door, it could not then well be ſuppoſed by the jury, that I was preparing myſelf, or putting myſelf in order to do miſchief, which are facts of forethought and conſideration, which required much more time than is pretended I could have had from the time I diſcovered Mr. Sayer; for even from his entry into the houſe, to the time of the accident, did not amount, as I am informed, to more than the ſpace of three minutes. But I did not diſcover him before the door gave way.

I wiſh it had been my good fortune, that the jury had applied that to me which your lordſhip remarked in favour of the ladies, that the matter was ſo very ſudden, ſo very accidental and unexpected, that it was impoſſible to be a contrivance and a confederacy, and unlikely that they could come to a reſolution in ſo ſhort a time. I don't remember your lordſhip diſtinguiſhed my caſe, as to that particular, to be different from theirs, nor was there room for it; for it is impoſſible for your lordſhip to believe that I dreamt of Mr. Sayer's coming there at that time, but on the conterary I fully proved to your lordſhip, that I went there upon another occaſion, that was lawful and beneficial for the deceaſed; and I had no more time to think or contrive, than the ladies had to agree or conſent. If any thing could be conſtrued favourably on the behalf of ſuch an unfortunate wretch as myſelf, I think the deſign I had ſometime before began, and was about finiſhing that day, might have taken away all ſuſpicion of malice againſt Mr. Sayer.

Muſt

Muſt it be thought, my lord, that I only am ſuch a ſinner that I cannot repent and make reparations to the perſons I have injured? it was denied; but I ſtrongly ſollicited a reconciliation between Mr. Sayer and his lady, and if this had tended to procure me an eaſier acceſs to Mrs. Sayer, it would have been ſuch a matter of aggravation to me, that it could not have eſcaped the remark of the council againſt me, nor the ſharpneſs of the proſecutors preſent in court; with both I tranſacted, and to both I appealed, particularly to Mr. Nott, to whom, but the day before the accident, I manifeſted my deſire of having them live together again, and therefore, my lord, it ſhould be preſumed I laboured to be reconciled, and not to revenge myſelf on Mr. Sayer.

Your lordſhip, I hope, will obſerve ſo much in my favour, that it was ſo far from being a clear fact in the opinion of the jury, that they ſat up all night, and believing there was no malice at that time, told your lordſhip they intended, and were inclined to find it manſlaughter, and, doubting the legality of the warrant, to find it ſpecial.

I hope this will touch your lordſhip's heart ſo far, as not to think me ſo ill a man as to deſerve (what the beſt of Chriſtians are taught to pray againſt) a ſudden death.

I confeſs I am unprepared; the hopes of my being able to make a legal defence, and endeavours therein having taken up my time, which I wiſh I had better employed: I beg leave to aſſure your lordſhip, upon the words of a dying man, that as none of the indirect practices to get or ſuppreſs evidences were proved upon me, ſo they never ſprang from me; and I can ſafely ſay, that my blood in a great meaſure will lie at their door that did, becauſe it drew me under an ill imputation of defending myſelf by ſubornation of perjury.

I would

I would be willing to do my duty towards my neighbour, as well as God before I die; I have many papers and concerns (by reaſon of my profeſſion) of my clients in my hands, and who will ſuffer if they are not put into ſome order; and nothing but theſe two conſiderations could make life deſirable, under this heavy load of irons, and reſtleſs remorſe of conſcience for my ſins. A ſhort reprieve for theſe purpoſes I hope will be agreeable to your lordſhip's humanity and Chriſtian virtue, whereupon your lordſhip's name ſhall be bleſt with my laſt breath, for giving me an opportunity of making peace with my conſcience and God Almighty.

As the court had ſhewn him all along as much favour as a man in his circumſtances could expect, hearing him with indulgennce even when it was plain he meant only to give trouble, ſo was his laſt requeſt received with the ſame goodneſs; and he was given to underſtand that time ſhould be allowed him for thoſe purpoſes.

When the goaler came (with a barbarity natural to thoſe fellows) to load Mr. Noble with irons, he was very much confounded; for though he had given, as he ſaid, two or three hundred pounds to all the crew that were about him to have ſome favour; they loaded him with the heavieſt irons they had, and curſt him as they were putting them on. This was enough to ſink his mind, as well as his body; but it is ſaid he recovered himſelf afterwards, and did not behave himſelf with that penitence and reſignation which he then gave hopes of. It is alſo ſaid the proſecutors engaged a Reverend Divine to go to Kingſton, on purpoſe to attend him in his ſpiritual concerns.

A little while after Mrs. Sayer and Mrs. Saliſbury were acquitted, they found bail for their forth-coming in 12 months, their bail being Mr. Stephen Hodges,

Mr. Joſeph Stockar, Mr. Thomas Arne, and Mr. John Hodges, in one thouſand pounds apiece, each ſurety five hundred pounds apiece for each priſoner.

Immediately upon their being diſcharged the two ladies returned to London, leaving their fellow-priſoner, the dear partner of their pleaſures and perils, bound with harder chains than thoſe of love his hands manacled, his legs fettered, his friends abandoning him, and his council and ſollicitors crying out that they would not have been concerned for him had they known any thing of the adultery. The women were ſo overjoyed at their own deliverance, that as they were in the coach returning to London, the turnkey, whom they took along with them to prevent any inſult from the rabble, heard them ſay, "It fell "out juſt as they would have had it."

The iſſue of this unfortunate affair was, that on the 28th of March, 1713, Mr. Noble was executed, and behaved in his laſt moments with great marks of penitence, and only ſhewed a little too much concern for being ſo baſely deſerted by the women who brought upon him all his misfortunes.

Account of the Conviction of RODERICK AWDRY *and* WILLIAM WHITE, *with the particulars of* AWDRY'S *numerous Thefts.*

ON the 13th of May 1714, *Roderick Awdry* and *William White*, of the pariſh of Lothbury, were indicted at the Old Bailey, for ſtealing eleven ſilver ſpoons, two ſalvers, two ſalts, and other plate, in

in the dwelling houſe of Thomas Gibſon, gentleman.

The proſecutor's ſervant depoſed, that having been abroad, he on his return ſaw White ſtanding at his maſter's door, and going into the houſe, found Awdry ſitting in the parlour, who told him his lady had ſent him thither on an errand; whereupon this deponent ſeized both the priſoners; when a ſalver was taken from White, and the reſt of the plate was found upon Awdry.

Awdry did not pretend to ſay a word in his own vindication, but, with a kind of falſe honour, which is ſometimes found even among thieves, would willingly have excuſed White, ſaying he gave him the ſalver to carry for him, and that he knew nothing of its being ſtolen: but the jury giving no credit to this aſſertion, found them both guilty, in conſequence of which they received ſentence of death.

We have no account of the birth, parentage or behaviour of White: but Awdry gave the following account of himſelf: he was born in the pariſh of St. Giles in the Fields, and was about ſixteen years of age at the time of his conviction. His father dying while he was a child, his mother ſoon married again, and the father-in-law turned him out of doors: being thus left to ſhift for himſelf, by the inhumanity of thoſe whoſe duty it was to provide for him, he began the life of a thief by robbing of orchards, proceeding by degrees to greater thefts, particularly ſtealing of plate, of which he at one time robbed a houſe to the value of four hundred pounds.

He ſaid he had been ſeveral times apprehended and committed to Newgate and the Marſhalſea, and had been often tried at the Old Bailey, where he was acquitted for want of ſufficient evidence: he had been three times burnt in the hand, and committed to Tothill-fields Bridewell twice, and to that in Clerkenwell three times; but he was no ſooner lodg-

ed in theſe priſons, than he broke out, and returned to his former bad practices.

He gave the following account of ſuch of his robberies as he could recollect:

1. That about three or four years before his conviction he had ſtolen three ſilver ſpoons, near St. James's Place.

2. Eight ſilver ſpoons in another houſe in the ſame place, about the ſame time.

3. A great quantity of plate in Hoxton Square, about the ſame time.

4. Two ſilver ſalvers, caſters, ſpoons, &c. in Preſcot-ſtreet, about the ſame time.

5. A ſilver tankard, ſpoons, 18 guineas, a broad-piece, &c. at Chelſea,

6. A ſilver pot and other plate, out of another houſe there, much about the ſame time.

7. A ſilver ſalver at Stepney, about three years ago.

8. A ſilver coffee pot in Well Cloſe Square, about that time.

9. Some plate out of a houſe in Ormond-ſtreet two years and a half before.

10. A ſilver watch at another place a fortnight after.

11. A ſilver tankard, a ſilver ſalver, and other plate, at Blackwall, two years before.

12. A ſilver ſalver at Mile end, about that time.

13. Two ſilver plates, two candleſtick's, and other plate, at Bethnal Green, about that time.

14. A ſilver ſalver, two ſilver candleſticks, two ſilver plates, three caſters, four ſalts, and other plate, near theſame place, and about the ſame time.

15. A ſilver tea-pot, coffee-pot, and ſtand near the ſame place, and about the ſame time.

16. A ſilver cup in Scotland-yard, about the ſame time.

17. Two

17, Two ſilver ſalvers, a ſilver tankard, and other plate, at the Lady Irwin's, two years before.

18. Five Silver ſalvers, a ſilver cup, and other plate of great value, at a houſe in the Navy-Office, about two years before.

19. A ſilver cup in Well-Cloſe Square, two years before.

20. Two ſilver ſpoons, forks and other plate, in Caſtle-yard in Holborn, about the ſame time.

21. A ſilver tankard a ſalver and other plate, in Caſtle yard in Holborn, about the ſame time.

22. A ſilver ſnuff box, ſpoons, &c. at Chelſea, ſix months before.

23. A ſilver tankard at Stepney, eleven months before.

24. A ſilver ſauce-pan, ſpoons, &c. at Well-Cloſe Square, two months before.

25. Two pint pots, a caſter, ſix ſpoons, and other plate, in St James's Square, ſix months before,

26. Two ſpoons in Lamb's Conduit Fields, three years before.

27. A ſilver tumbler, near the ſame place, two years before.

28. Spoons, and other plate, on Tower-Hill, two years before.

29. A ſilver caniſter, ſalts, &c. at Hampſtead, three years before.

30. Money and cloaths, to the value of 30 l. in a box before a coach in Gray's Inn-Lane, about that time.

31. A ſilver ſalver, ſpoons, &c. in Picadilly, three years before.

32. Several pieces of plate and other goods, to a conſiderable value, in goodman's Fields, ſix or ſeven weeks before; which he had packed up, and was forced to leave part behind, to ſave himſelf from being taken.

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31. A ſilver ſalver, ſpoons, &c. in Picadilly, three years before.

32. Several pieces of plate and other goods, to a conſiderable value, in goodman's Fields, ſix or ſeven weeks before; which he had packed up, and was forced to leave part behind, to ſave himſelf from being taken.

33. A ſilver coffee-pot, and other plate, in Lincoln's Inn-Fields, about three years ſince.

34. Another parcel of plate, in a houſe near the ſame place, at the ſame time.

35. A ſilver cup, ſalts, and other pieces of plate, to a conſiderable value in Malbrough ſtreet, about three years before.

This offender acknowledged, that beſides thoſe abovementioned, he had committed a great number of robberies, the particulars of which he had forgot, and he ſaid that all theſe robberies had been committed in the day time, yet none of the ſervants in any one family had been acceſſary to his crimes.

By his own confeſſion it appeared, that within about three years and a half, he had ſtolen plate and other goods to the value of ſeveral thouſand pounds, notwithſtanding which he had nothing left of any value; ſo true is it, that money obtained in a diſhoneſt way, is generally fooled away in every ſpecies of riot and extravagance!

He ſaid he had been a great drunkard, whoremonger and adulterer; and he begged pardon of all thoſe whom he had injured, declaring that was all the amends that was then in his power to make them.

He was executed at Tyburn, with William White on the 28th of May, 1714.

Account

Account of the trial and behaviour of NATHANIEL PARKHURST, *Eſq. who was convicted for the Murder of* LEWIS PLEURA.

AT the ſeſſions held at the Old Bailey in the month of May, 1715, *Nathaniel Parkhurſt*, of the pariſh of St. Bride, Eſq. was indicted for the murder of Lewis Pleura, by giving him a mortal wound with a rapier, on the left ſide of his belly, near the navel, of the breadth of one inch, and the depth of five inches.

In the courſe of the evidence it appeared, that the priſoner and the deceaſed had been priſoners at the ſame time in the Fleet for debt; and that the priſoner having been drinking from four o'clock in the afternoon till about three in the morning, went into a room adjoining to that of the deceaſed, and cried out, "D—n you, Sir Lewis, where are you?" but being informed he was miſtaken as to the room, he went away, and breaking into Pleura's room, was heard to ſay, "D—n you, Sir Lewis, pay me "the four guineas you owe me;" ſoon after which the deceaſed cried out murder, and the watchman and other perſons going into the room, found the deceaſed on the flore, lying on his back, naked and bleeding, and the priſoner upon him with his ſword drawn.

The ſheets of the bed, which were very bloody, being takcn off, the deceaſed was put to bed, and a ſurgeon dreſſed ſome of his wounds, which were eighteen or twenty in number; after which, being able to ſpeak, he was aſked how he came by his wounds;

wounds; to which he anſwered, that Mr. Parkhurſt gave them him while he was in bed.

It alſo appeared, that the priſoner being diſarmed and taken out of the room, went in again afterwards, and ſaid, "D—n you Pleura, are you not dead "yet?"

The evidence being clear, the priſoner did not otherwiſe deny the fact then by ſaying that he knew nothing of it, and for two years and a half paſt had been diſordered in his mind. To prove this, ſeveral perſons were called, who ſwore that within that ſpace of time he had been guilty of many actions which teſtified that he was lunatic: but others depoſed that he was capable of knowing what he did, having lately tranſacted ſome buſineſs with a view to the obtaining his liberty, which proved that he was in his perfect ſenſes; whereupon the jury found him guilty and he received ſentence of death.

While he lay under condemnation he declined ſeeing much company, reſigned himſelf to the juſtice of his ſentence, and applied himſelf to his devotions, to fit him for his approaching diſſolution: yet ſometimes he was much diſturbed in his mind, and reflected greatly on his relations, whoſe intereſt he imagined might ſave his life, if they would but apply to the people in power.

Mr. Parkhurſt ſaid, that he was 39 years of age, born at Cateſby, near Daventry, in Northamptonſhire came of a good and honourable family, and had an education in Wadham-College in Oxford, and elſewhere, ſuitable to his birth, but did not make a right uſe of it; for falling into bad company, and being too converſant with men of erroneous and dangerous principles, who ridiculed all religion, denying the immortality of the ſoul, and even of our Saviour; and looking upon his goſpel, and indeed the whole book of

of the ſcriptures, as an idle romance, he was thereby ſoon induced to all manner of debauchery and ſenſuality; but by theſe vicious and irregular ways of living, ſo diſpleaſing to God, ſo ſcandalous to the Chriſtian Religion, which he outwardly profeſſed, and ſo hurtful to the world in general, and to his own ſoul in particular, he waſted his ſubſtance, dulled his ſpirits, weakened his faculties, and at laſt brought himſelf into ſuch a malancholy ſtate and diſcompoſure of mind, that a little before he committed the murder, he had reſolved, within himſelf, to kill ſomebody or other, and make his eſcape out of the Fleet, were he was a priſoner for debt; or if he could not effect that, to lay violent hands upon himſelf, as being weary of his life.

On the morning of his execution, he ordered a fowl to be got ready for his breakfaſt, which he ate with a very good appetite, drinking with it a pint of liquor; and this being done, he went to the place of execution with great compoſure of mind. When he came there, he addreſſed the ſpectators, ſaying, that the ſmall pox, which he had about twenty years before, had left ſuch an infirmity in his head, that he never was perfectly well ſince: he deſired the prayers of all the ſtanders-by for his departing ſoul: and then applied himſelf to private prayer, after the performance of the ſervice uſual at ſuch times.

He was executed at Tyburn, on the 20th of May, 1715.

Account of the Trial of JOHN BIGG, *for altering a Bank-note.*

AT the ſeſſions held at the Old Bailey on the 2d of June, 1715, *John Bigg* was indicted on two ſeperate indictments, the one for eraſing, and the other for altering an indorſement upon a bank-bill on the firſt of March preceeding.

The firſt evidence depoſed, that a bill of 100 l. payable to Mr James White, or bearer, was drawn and ſigned by Joſeph Odam, for the Governor and Company of the Bank of England, on the 19th of February, 1715; and that on the 22d of the ſaid month, 90 l. was paid and indorſed on the ſaid bill in the uſual manner: that on the firſt of March, the ſame bill was again brought to the Bank, with the indorſement taken off, when 25 l. more was paid and indorſed as before: that the clerks of the Bank finding ſome bills over paid, (among which this was one) were at a loſs to judge how it had happened, till one Collins * informed them that the priſoner told him that if he had not too ſcrupulous a conſcience, he could put him in a way to get vaſt ſums of money; which he ſeemed to hearken to, the priſoner told him what it was to do, and ſhewed him how, by applying a certain liquor to the red-ink, the letters diſappeared.

Collins having by this means got ſufficiently into the ſecret, acquainted the Governor of the Bank with it; whereupon a warrant was taken out, and the priſoner's houſe ſearched, where the very bill mentioned in the indictment, and others, were found,

* Collins ſwore to theſe particulars on the trial.

and

and alſo an account in writing of ſeveral bills, their numbers, and the ſums received on them.

Another witneſs was one Mors, who depoſed, that the priſoner propoſed to him, that he might get 10000l. if he would be concerned; and that he did engage in it, ſaw the priſoner make the experiment, and received money at the Bank for him, for which he was to have a third part of the profit.

The priſoner denied the fact; but having counſel allowed him, they argued that Mr. Odam was not a ſervant qualified to make out thoſe bills, unleſs authorized by the corporation-ſeal; that writing with red-ink on the inſide of the bill, could not be called an indorſement; nor if that were an indorſement, could the fact be called eraſing or altering.

To this the King's counſel anſwered, and the priſoner's replied; and the court were of opinion, that Mr. Odam was a ſervant qualified to make out ſuch bill for the Governor and Company of the Bank of England: but the other two articles being matters of doubt, the jury brought in the verdict ſpecial.

The judges, upon this occaſion, being aſſembled at Serjeant's-Inn Hall in Fleet-ſtreet, were attended by counſel on both ſides, where the point of law was ſolemnly argued; and after conſideration thereof, the judges were of opinion, that the priſoner was guilty of felony within the meaning of the ſtatute: and accordingly he was brought to the bar, and received ſentence of death, in December, 1716, but afterwards obtained a reprieve, and pleaded to his pardon.

The trial of HENRY POWELL *convicted of a Highway-Robbery; with his own Account of his Life and Actions.*

AT the ſeſſions held at the Old Bailey in the m nth of Novemb r, 1715. *Henry Howard*, alas *Powell*, of South Mims in Hertfordſhire, was indicted for aſſaulting Sarah Maddocks on the highway, and taking from her two ſhillings and ſix pence, on the 15th of October preceeding.

The proſecutrix depoſed, that the priſoner meeting her ſiſter between Barnet and Kit's-end, ſaid, "How "do you do? give me your money:" that her ſiſter ſaying ſhe had none, he replied "D—n you, I will "have money, or elſe I will ſhoot you;" upon which ſhe offered him ſome copper, but he beat it out of her hand, ſaying, "D—n you, I want gold and "ſilver, and gold and ſilver I will have:" that then he came to this evidence, and ſaid, "D—n you, "muſt I wait here all night? give me your money?" ſhe told him ſhe had but half a crown: "Give it me "quickly," ſaid he, and putting his hand into her pocket, took the money.

After he had committed the robbery, they deſcribed him to ſome perſons, who perſued and took him. The priſoner denied the fact; but as the proſecutrix had ſworn poſitively to his perſon, the jury brought him in guilty, in conſequence of which, he received ſentence of death. Before he went to the place of execution he delivered the following paper to the Ordinary of Newgate.

I Henry Howard, alias Powell, which laſt is my right name, was condemned for a robbey on the highway, on Barnet Common, on the body of

of Sarah Maddocks, and taking from her 2 s. and 6 d. in money. I was born the 5th of Auguſt, 1691, in the liberty of the city of London, of very honeſt and reputable parents, whoſe care and induſtry in my education was ſufficient to qualify me for any buſineſs whatſoever; and with the grace of God to prevent this ignominious death.

At nine years of age I was put to Merchant-Taylor's ſchool, under Mr. Pickering; and in two years time was removed under Mr. Parſels; from whence (in a ſhort time) I was removed to the care of the learned Dr. Shorter, and attained at twelve years of age, to ſuch a knowledge of the Greek and Latin tongues, that none could exceed me.

Being about that time taken from Latin, I was put to writing and arithmetick, in which I improved myſelf very much; and being qualified for any trade whatſoever, none (to my misfortune) was approved of, but a ſurgeon, and I accordingly was bound at Surgeon's-Hall to a very eminent and ingenious man of that profeſſion, who profeſſed both pharmacy and ſurgery; and (though I ſpeak it to my ſhame) one, who by his examplary piety and virtue might have ingrafted good principles into any heart leſs obdurate than mine; and how many thouſand times have I repented within myſelf, for ſlighting his wholeſome admonitions! and once, I remember, in a prophetick way, I believe, he told me that this untimely death was my predeſtinated fortune, unleſs I reformed myſelf.

My father and mother dying in a little time after I was bound, expoſed me to ſeveral wants, that I proteſt the remainder of my apprenticeſhip, while my maſter lived, was tedious to me: but however, it pleaſed God to take my maſter to himſelf before I had ſerved ſix years; and my miſtreſs leaving off the buſineſs, I was expoſed to all the inconveniencies and frowns of fortune, and as it were deſtitute, being

ing

ing but eighteen years of age; but however Almighty God was ſo gracious to me, as to prevent my falling into bad company, though reduced to want: but going one day to viſit a kinſwoman of mine, ſhe fancying a ring which I had, was willing to exchange it for hers; but afterwards it not proving according to her expectation, contrived, and took me out of my bed; and I not being permitted to beg pardon, to make an apology for myſelf, I was ſent into Flanders for a foot ſoldier, which was undoubtedly the ruin of me; for having not frequented vicious company before, I fulfilled the ſaying of St. Paul, "Evil communication corrupts good manners."

I continued in that ſtation almoſt three years, though I made two attempts to regain my native country again, but was retaken, and narrowly miſſed a ſevere puniſhment; and conſidering the mercy and providence of God in my deliverance, I was reſolved to content myſelf in the circumſtances I was in, and got acquainted with ſeveral of the clergy, who took great delight in my converſation, having the Latin tongue as fluent as my native; and although no means was neglected for my converſion to their faith, God Almighty opened the eyes of my underſtanding, to diſcover their inſinuations, confute their arguments, and contemn their ſuperſtitious idolatry: their purgatory, invocation of Saints, and the doctrine of tranſubſtantiation, were the main obſtacles to my converſion.

Would time permit me, I would expound the argument they made uſe of to prove the verity of them, and my objections; but it being the day before my death, and having a great taſk to perform, and but a little time to perform it, I hope you'll excuſe me; and therefore I'll proceed to give an account of my eſcape from thence.

Although I had narrowly eſcaped twice before, yet beginning to grow uneaſy again, I was reſolved to have

have the other trial, and accordingly on June the 27th, 1712, with ſeven more, I made my way to Holland; from whence, in a ſhort time, by the aſſiſtance of an honeſt maſter, bound for Burlington in Yorkſhire, I regained my native country, and in nine days after my deſertion from Newport, I came to fair Auguſta, Albion's metropolis.

Finding every thing turned upſide down, and not a friend left that would ſerve me; I began to reflect, and repent within myſelf for leaving my military function, being reduced to that want, that I muſt either beg or ſteal; the former I diſpiſed as deſpicable, the latter I dreaded as deſtructive to my ſoul and body: and therefore I applied myſelf to a ſervile employment at the water-ſide; and I wiſh to God I had continued in that ſtation: but getting acquainted with an idle fellow, I was ſeduced to the commiſſion of a fact for which he died; and Almighty God, who knew the innocence of my heart at that time, was merciful to me, that (by this fatal example) I might reform my life and converſation, which God Almighty to promote, ſent me as loving, tender, and endearing a wife as ever man enjoyed; who endeavoured (by her actions and behaviour) to convince me that the wicked courſes I took would be my inevitable ruin; and to do her juſtice, as I am a dying man, had I been ruled by her, I had never come to this untimely end; and there's no tranſitory pleaſure that with regret I leave, but her dear company: my heart melts within me at the thoughts of her, and if her love reciprocally joined, it was between us: and therefore I humbly beg of every body, that they would caſt no reflections upon her; and to vindicate her from any confederacy with me, I kept her ignorant of my way of living for a long time, till my coming into trouble acquainted her with it. And although I think a confeſſion to Almighty God is a ſufficient acknowledgment in this world,

world, I'm obliged (for vindication of her) to acquaint Mr. Fletcher, that his waggon was robbed by myſelf and Thomas Edwards, at Sevenoaks in the county of Kent; and I never ſold any but to Mr. Keys, except one dozen of handkerchiefs to another perſon whoſe name I omit, though he does not deſerve it at my hands.

As for other matters, as it is not in my power to retaliate thoſe perſons I have wrong'd, I think it needleſs to bring other men into trouble, who have been either confederates or receivers: but this caution I'll give to all country waggoners, to take particular care of their waggons in the inn-yards at night. As to the fact I die for, I acknowledge it juſt; but being in liquor was reduced by that villain Edwards, or I had prevented this misfortune.

I account this ignominious death as a juſt judgment for my ſins againſt the Divine Majeſty, and my neighbour; and therefore patiently reſign myſelf to his bleſſed will, and hope, with true repentance, and a ſtedfaſt faith in Chriſt Jeſus) he will ſeal my pardon in Heaven before I go hence, and be no more ſeen; and I bleſs God, I have had more conſolation under my condemnation, than ever I had theſe many years; and I hope that thoſe who ſurvive me will take warning by my fatal end.

I have this comfort, that no man can accuſe me of enticing them to the commiſſion of ſuch facts; eſpecially one perſon who had accuſed me of it ſince my condemnation: but for the value I have for him, I'll omit his name, and deſire him to take warning by me; being reſolved within myſelf, that if God had prolonged my days, I would relinquiſh all ſuch courſes. This a true account of my life paſt. December, 22, 1715. Witneſs my hand,

HENRY POWELL.

He was executed at Tyburn on the 23d of December, 1715.

The

The Proceedings againſt the Earl of DERWENTWATER, *and other Rebel Lords.*

THOMAS FOSTER, Eſq. Member of Parliament for the county of Northumberland, having ſet up the Pretender's ſtandard at Painfield, between Alnwick and Workworth in that country, on the 6th of October, 1715, and being joined by many noblemen and gentlemen, endeavoured to ſeize on Newcaſtle, but were prevented; and being afterwards joined at Kelſo by a body of Scotch, which came over the Forth, they, after ſeveral marches, came to the town of Preſton.

But being unexpectedly ſurrounded by the King's forces, under General Wills and Carpenter, they after ſome ſkirmiſhes, ſurrendered priſoners at diſcretion, being near 1500 perſons, and the heads of them, to the number of near three hundred men, were brought up to London. Nov. 14, and being met by the way at Highgate by Major General Tatton, with two battalions of the Royal Foot-Guards, they were each of them pinioned with cords provided for that purpoſe; and their horſes being led, each by a grenadier, were brought to London, through the repeated huzzas of a vaſt number of ſpectators; and when they were arrived, they were ſent, the Lords to the tower, and the others to Newgate and other priſons: and on the 9th of January, 1715-16, the Houſe of Commons reſolved, Nemine Contradicente, to impeach the Lords of High Treaſon; which impeachment is as follows,

Articles of Impeachment of High Treaſon exhibited againſt James *Earl of* Derwentwater, William *Lord* Widdrington, William *Earl of* Nithiſdale, George *Earl of* Winton, Robert *Earl of* Carnwath, William *Viſcount* Kenmure, *and* William *Lord* Nairn.

WHEREAS, for many yeas laſt, a moſt wicked deſign and contrivance has been formed and carried on, to ſubvert the antient and eſtabliſhed government, and the good laws of theſe kingdoms, to extirpate the true Proteſtant religion therein eſtabliſhed, and to deſtroy its profeſſors, and inſtead thereof, to introduce and ſettle popery and arbitrary power: in which unnatural and horrid conſpiracy, great number of perſons, of different degrees and qualities, have concerned themſelves and acted; and many Proteſtants, pretending an uncommon zeal for the church of England, have joined themſelves with profeſſed Papiſts, uniting their endeavours to accompliſh and execute the aforeſaid wicked and traiterous deſigns.

And whereas it pleaſed God in his good providence, and in his great mercy and goodneſs to theſe nations, to crown the unwearied endeavours of his late Majeſty King William the Third, of ever glorious memory, by making him the inſtrument to procure the ſettlement of the crown of theſe realms in the illuſtrious houſe of Hannover, as the only means, under God, to preſerve our religion, laws, and liberties, and to ſecure the Proteſtant intereſt of Europe; ſince which happy eſtabliſhment, the ſaid conſpirators have been indefatigable in their endeavours to deſtroy the ſame, and to make way for the vain and groundleſs hopes of a ſpurious impoſtor and Popiſh pretender to the imperial Crown of theſe Realms.

And

And to accompliſh theſe ends, the moſt immoral, irreligious, and unchriſtian-like methods have been taken; but more particularly in the laſt years of the reign of the late Queen Anne; during which time, all imaginable endeavours were uſed by the ſaid conſpirators to prejudice the mind of the ſubjects of this realm, againſt the legality and juſtice of the ſaid ſettlement of the crown; and for that purpoſe the holy ſcriptures were wreſted, and the moſt wholeſome doctrines of the Church of England perverted and abuſed by men in holy orders in the moſt public and ſcandalous manner, in order to condemn the juſtice of the late happy revolution, and thereby to ſap and undermine the foundation of the ſaid happy eſtabliſhment: and the moſt notorious inſtruments of theſe wicked purpoſes were countenanced by particular marks of public favours and diſtinction; falſe and dangerous notions of a ſole hereditary right to the Imperial Crown of theſe Realms, were propagated and encouraged by perſons in the higheſt truſt and employments, contrary to the ancient, undoubted, and eſtabliſhed laws of theſe kingdoms; jeſuitical and ſcandalous diſtinctions were invented, and publickly inculcated, to enervate the force and obligation of thoſe oaths which had been contrived on the plaineſt and ſtrongeſt terms, by the wiſdom of Parliament, for the ſecurity of the ſaid eſtabliſhment. And to conceal their deſigns, and thereby the better to enable them to carry on the ſame, great numbers of the ſaid conſpirators, of all ranks and conditions, pretending a zeal for the proteſtant ſucceſſion, openly and voluntary took the ſaid oaths, groundleſs fears of the danger of the Church of England were fomented throughout theſe kingdoms, to diſorder the minds of well diſpoſed Proteſtants. By all which, and many other ſuch ungodly practices of the ſaid conſpirators, the moſt cauſeleſs and dangerous jealouſies and diſſatisfactions were created

in the minds of the good people of this kingdom; and great numbers of well meaning, but deluded Proteſtants, where much diſquieted. But nevertheleſs, theſe diſhoneſt methods were purſued by the ſaid conſpirators with indefatigable induſtry, as the only means to weaken the foundations of the ſaid happy eſtabliſhment.

And whereas the diſſolution of the late glorious confederacy againſt France, and the loſs of the ballance of power in Europe, where further ſteps neceſſary to compleat the deſigns of the late ignominious peace with France, the French King was rendered formidable, and the proteſtant ſucceſſion was thereby brought into the moſt imminent danger; and by theſe and other pernicious meaſures, the deſtruction ſo long intended by the ſaid conſpirators for theſe poor nations ſeemed near at hand. At which time, and under which moſt deplorable circumſtances, it pleaſed Almighty God in his infinite wiſdon to call to himſelf the late Queen Anne, and by a concurrence of many moſt wonderful providences, to give a quiet and peaceable acceſſion to his preſent moſt Gracious Majeſty to the throne of his anceſtors; to which he was received with one full voice and conſent of tongue and heart, and the united joy of every good ſubject and good proteſtant, as their only lawful and right ful leige Lord. And although from the moment his Majeſty aſcended the throne, to this day, his reign has been one ſeries of wiſdom, juſtice, and clemency; his labours conſtant, unwearied, and ſucceſsful, to retrieve the honour and reputation of theſe nations, to re-eſtabliſh the trade, and recover the wealth of the kingdoms; and although all imaginable encouragment has been given to the Church of England, and all tenderneſs ſhewn even to his Popiſh ſubjects, and his conſtant care has been to procure the univerſal good of his people; nevertheleſs the

ſaid

ſaid conſpirators have, by the moſt vile and impious methods, renewed their endeavours to throw theſe kingdoms into the utmoſt confuſion, and to entail endleſs miſeries on us and our poſterities. For theſe ends, many of the abovementioned moſt wicked and dangerous practices have been repeated with the utmoſt induſtry and inveteracy, to delude, diſorder and corrupt the minds of his Majeſty's good ſubjects; the moſt groundleſs jealouſies have been fomented againſt his wiſe and happy adminiſtration; and in many parts of his kingdoms, the moſt unnatural, unexampled riots and tumults, by the ſecret and malicious endeavours of the ſaid conſpirators, have been procured ſtired up, and encouraged againſt his peaceable Proteſtant ſubjects, under falſe pretences of zeal for the Church of England, and thereby more effectually to delude his good ſubjects, and ſeduce them from their allegience, and prepare them for an open rebellion.

And the ſaid conſpirators having at length reſolved to deprive theſe nations of the invaluable bleſſings which they now enjov under the wiſe and gentle reign of his preſent moſt gracious Majeſty King George, and of his certain proſpect of happineſs which they have for their poſterity, in a ſucceſſion of princes derived from himſelf, did contrive, confederare, and reſolve to put their moſt malicious, wicked and traiterous deſigns into immediate execution; for which purpoſe, James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithiſdale, George Earl of Winton, Robert Earl of Carnwath, William Viſcount Kenmure, and William Lord Nairn, together with Thomas Forreſter, jun. Errington, John Clavering, William Shaftoe, Sir Frances Anderton, Ralph Standiſh, Richard Townley, Thomas Butler, Thomas Walton, Gabriel Haſket, Richard Gaſcoigne, and divers other perſons, as falſe traitors

traitors of his preſent moſt Sacred Majeſty King George, the only lawful and undoubted ſovereign of theſe kingdoms, have with drawn their allegiance and cordial love, and true and due obedience, which they as good and faithful ſubjects, own to his ſaid majeſty, did, in or about the months of September, October, or November, 1715, moſt wickedly, maliciouſly, falſly, and traiterouſly, imagine and compaſs the death of his ſaid moſt Sacred Majeſty.

And for the accompliſhing and executing their ſaid traiterous purpoſe. they, the ſaid James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithiſdale, George Earl of Winton, Robert Earl of Carnwath, William Viſcount Kenmure, William Lord Nairn, did, in or about the ſaid months or ſome of them, and at divers other times, and in divers places within this kingdom, wickedly and traiterouſly agree, confederate, conſpire and reſolve, together with many other evil diſpoſed perſons, to raiſe, excite, and levy, within the counties of Teviotdale, Northumberland, Cumberland, and the Country-Palatine of Lanceſter, and elſewhere within this kingdom, a moſt cruel, bloody, and deſtructive war againſt his Majeſty, and to deprive him of his royal ſtate, crown, and dignity.

And the ſaid James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithiſdale George Earl of Winton, Robert Earl of Carnwath, William Viſcount Kenmure, William Lord Nairn, their accomplices and confederates, in or about the months aforeſaid, in the counties aforeſaid, or ſome of them, did gather together great numbers of his Majeſty's ſubjects, and with them did aſſemble in a warlike and traiterous manner, in order to raiſe tumults and rebellion within this kingdom; and having procured great quantities of arms, ammunition, and warlike inſtruments, at the time and place aforeſaid, or

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ſome of them, did form and compoſe, or did aſſiſt in the forming and compoſing an army of men, conſiſting of his Majeſty's, liege ſubjects, in order to wage war againſt his ſaid Majeſty, for and in behalf, and in favour of the Pretender to the crown of theſe Realms; and the ſaid laſt-mentioned conſpirators, their accomplices and confederates, at the time, and times, and places aforeſaid, and at divers other times and places within this kingdom, did maliciouſly and traiterouſly make levy, and raiſe war and rebellion againſt his moſt Sacred Majeſty; and in a warlike and hoſtile manner did march through, and invade ſeveral parts of this kingdom, and did unlawfully take and ſeize the horſes and other the goods and chattels of many of the peaceable and good ſubjects of his Majeſty, and in other places did take and ſeize, from his Majeſty's faithful ſubjects, guns and other warlike inſtruments, for the carrying on their traiterous purpoſes.

And the ſaid laſt mentioned conſpirators, their accomplices and confederates, during their march and invaſion aforeſaid, in open defiance of his moſt Sacred Majeſty's juſt and undoubted title to the Imperial crown of theſe realms, did wickedly and traiterouſly cauſe and procure the ſaid Pretender to be proclaimed in the moſt public and ſolemn manner as King of theſe realms, and in ſeveral places in the counties aforeſaid, or ſome of them, did unlawfully take and ſeize from his majeſty's officers of the revenue, the publick money, for the uſe and ſervice of the ſaid Pretender. And though many of the conſpirators are avowed profeſſors of the Popiſh religion, yet the more effectually to cover and diſguiſe their moſt wicked and traiterous deſigns, and to delude his Majeſty's ſubjects, they did prevail on, and procure ſeveral men in holy orders, miniſters of the Church of England, and who had before that time abjured the ſaid Pretender, to accompany,

company, countenance, and abet the ſaid moſt traiterous enterprize; and in ſeveral places in the counties aforeſaid, where he ſaid conſpirators, their accomplices and confederates then were, to pray for the ſaid Pretender in the public churches as King of theſe realms.

That the ſaid laſt-mentioned conſpirators, their accomplices and confederates, did on or about the 9th 10th, 11th, 12th, or 13th, of November aforeſaid, traiterouſly ſeize and poſſeſs themſelves of the town of Preſton, in the county-Palatine of Lancaſter, againſt his Majeſty, and did then and there, in a warlike and horrible manner, levy war, oppoſe, engage and fight againſt his Majeſty's forces, and did then and there cauſe and procure a miſerable and horrid ſlaughter and murder of many of his Majeſty's faithful ſubjects.

All which treaſons and crimes abovementioned, were contrived, committed, perpetrated, acted and done by the ſaid James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithiſdale, George Earl of Winton, Robert Earl of Carnwath, William Viſcount Kenmure, William Lord Nairn, and other the conſpirators aforeſaid, againſt our ſovereign lord the King, his crown and dignity, and contrary to the duty of their allegiance, and againſt the laws and ſtatutes of this kingdom.

Of all which treaſon and crimes the knights, citizens, and burgeſſes in parliament aſſembled, do in the name of themſelves and of all the Commons of Great Britain, impeach the ſaid James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithiſdale, George Earl of Winton, Robert Earl of Carnwath. William Viſcount Kenmure, William Lord Nairm, and every of them.

And the ſaid Commons, by proteſtation, ſaving to themſelves the liberty of exhibiting at any time hereafter any other accuſations or impeachments againſt

againſt the ſaid James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithiſdale, George Earl of Winton, Robert Earl of Carnwath, William Viſcount Kenmure, William Lord Nairn, or any of them; and alſo of replying to the anſwers which the ſaid James Earl of Derwentwater, William Lord Widdrinton, William Earl of Nithiſdale, George Earl of Winton, Robert Earl of Carnwath, William Viſcount Kenmure, and William Lord Nairn, or any of them, ſhall make to the premiſes, or any of them, or to any impeachment or accuſation that ſhall be by them exhibited, according to the courſe and proceedings of Parliament; and do pray, that the ſaid James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithiſdale, George Earl of Winton, Robert Earl of Carnwath, William Viſcount Kenmure, and William Lord Nairn, be put to anſwer all and every the primiſes; and that ſuch proceedings, examinations, trials and judgments may be upon them, and every of them had and uſed, as ſhall be agree ble to law and juſtice.

The Anſwer of JAMES *Earl of* DERWENTWATER *to the Articles of Impeachment, &c.*

TO a charge of ſo high and heinous a nature, the ſaid Earl cannot anſwer without the deepeſt concern and affliction; which comes more weighty by the ſhare the Honourable Houſe of Commons have been pleaſed to take in the accuſation. He aſſures himſelf, that great aſſembly doth not engage in the proſecution of an offence, ſo open to conviction in the ordinary courſe of law, with deſign to intercept that mercy, which the Earl, from the report of his Majeſty's natural goodneſs, had reaſon to expect. It would be a thought unworthy any Member of that Auguſt Body, to imagine he could have the leaſt deſire of ſpilling the blood of any of his fellow-

ſubjects, whom his Majeſty's great wiſdom ſhould think a fit object of his mercy; the ſaid Earl therefore hopes, that his proſecution is taken out of the common courſe of Juſtice, with intention that if, in his particular caſe, there ſhall appear any circumſtances inducing favour or compaſſion, both your lordſhips and the Commons may be interceſſors with his Majeſty for grace towards him; whereby the exerciſe of the royal mercy, upon which the Earl depended (which among all the virtues of the crown, moſt indears a monarch to the love and affection of his people) may be extended in ſuch manner, as may demonſtrate their clemency, for which his majeſty is ſo greatly renowned, and not encourage any to offend upon the preſumption of it for the future. The ſaid Earl acknowledges, with a real ſorrow, that at the time in the articles mentioned, he was in arms, and with others, did march through, and invade ſeveral parts of this kingdom; and confeſſes, "He is there-"by guilty of the offence wherewith he is charged in "the ſaid articles." But if any offence of that kind was ever attended with circumſtances, which might move compaſſion, the ſaid Earl hopes he may be intitled to it. He begs leaves to inform your lordſhips, that his temper and inclination diſpoſed him to live peaceably under his majeſty's government, and he never had the leaſt prejudice or malice againſt his perſon, nor was he ever heretofore concerned in, or privy to any deſign or contrivance to ſubvert or diſturb the eſtabliſhed government, the laws or religion of this kingdom; and if any methods were taken by others to accompliſh any of thoſe ends, he was abſolutely a ſtranger to them; nor did he now engage in this unhappy undertaking, upon any previous concert or contrivance for any ſuch purpoſe: but being young and inexperienced, he raſhly, and without any deliberation, engaged himſelf to meet at Plainfield

Plainfield in Northumberland, on aſſurance that many of his relations and acquaintance would appear there. That his undertaking was ſudden, appears, in that he engaged in it without any previous preparation of men, horſes, arms, or other warlike accoutrements: and as the ſaid Earl cannot be juſtly reproached with any cruel, ſevere, or harſh action, during the continuance in arms, ſo he took the firſt opportunity of ſubmitting to the King's mercy. After the ſudden ſkirmiſhes at Preſton, the ſaid Earl with others, was ſolicitous to prevent any further deſtruction of the lives of his Majeſty's ſubjects, and inſtrumental to induce all in arms to ſubmit themſelves to the King, provided they might be ſecured of their lives. One of his Majeſty's officers, ſent from the general, gave them encouragement to believe, that the ſurrender of themſelves would be the ready way to obtain the King's mercy, in confidence whereof, when a ceſſation was agreed on, the ſaid Earl offered himſelf to become one of the hoſtages for them till the next morning; in which time he received further aſſurance from the officers, that the King was a prince of known clemency; that this was a diſtinguiſhing part of his character, and that the free ſurrender to mercy would be the moſt proper means to obtain it. The ſaid Earl believes his majeſty's officers were very ſenſible, and will be ſo juſt as acknowledge, that it had not been impracticable for many of thoſe at Preſton to make their way through his Majeſty's forces; but this attempt muſt have occaſioned the loſs of many lives, and might have been productive of ill conſequences to the government, which the ſaid Earl was deſirous to prevent. And when the time agreed on for the ceſſation was near expired, and General Wills ſeemed uneaſy in not having received any meſſage from thoſe in the town, the ſaid Earl wrote a letter to exhort them to ſurrender to the King's mercy; and at the ſame time declared

to the ſaid general, and other officers, that whatever happened, he was determined to continue with them and rely entirely on his Majeſty's clemency and goodneſs, which he had encouragement to expect. And in ſuch circumſtances the ſaid Earl cannot diſtruſt your lordſhips, or the Commons readineſs, to uſe their mediation for mercy on his behalf, which will lay him under the higheſt obligations of duty and affection to his Majeſty, and perpetual gratitude to both Houſes of Parliament.

The anſwer of William *Lord* Widdrington, *to the Articles of Impeachment, &c.*

IT is with inexpreſſible concern and affliction the ſaid Lord appears before this auguſt aſſembly, charged with crimes of the moſt heinous nature; and though it is natural to mankind to endeavour to conceal their guilt, and make uſe of all manner of defence, eſpecially in the cauſe of life; yet as he ſurrendered himſelf at Preſton, intirely relying on his Majeſty's mercy, ſo he is now reſolved not to take any meaſure which may argue the leaſt diffidence of that mercy, or of your lordſhips goodneſs; and therefore the ſaid Lord confeſſes, "He is guilty of "the treaſon wherewith he is charged in the ſaid "articles." And after having thus freely acknowledged his offence, he begs leave to lay his caſe before your lordſhips, and humbly hopes when the particular circumſtances are conſidered, it will be thought not to merit the moſt rigorous puniſhment; but that both your lordſhips, and the honourable Houſe of Commons will look upon him as a proper object of his Majeſty's clemency: and he humbly hopes he may not be thought the leſs worthy of favour, in that he never before offended, nor was at any time privy to, or acquainted with any deſign or contrivance to diſturb or deſtroy the eſtabliſhed government,

vernment, the laws or religion of this kingdom; but came unawares into this ſudden and unpremeditated action. For although he had met with public rumours and reports of intended invaſions from aboard, and inſurrections at home; yet he never knew, or any other way heard of any formed deſign againſt the government, till he was told the night before of a meeting intended at Plainfield in Northumberland on the 6th of October laſt; and being ſoon after informed that almoſt all his neighbours and acquaintance had there met in arms, he took a haſty and inconſiderate reſolution of joining them; nor was he in any ſort prepared for ſuch an undertaking, having only ſome of his own family with him, no arms but his common fowling-pieces and wearing ſwords, and fewer horſes than he had conſtantly kept for ſeveral years before: and nothing but the report of ſo many of his friends being engaged could have hurried him on to an enterprize ſo unaccountably raſh and unjuſtifiable; and he is willing to hope your lordſhips will eſteem it ſome allevation of his crime, that in a commotion of that nature, there was ſo little violation of the rights and properties of thoſe who oppoſed them; for he believes few inſtances can be found, where ſuch a multitude continued ſo long in arms, without doing greater acts of violence and injuſtice. The ſaid lord cannot charge himſelf with any injurious acts to the property of his fellow-ſubjects, and endeavoured to prevent them in others; and hopes it was thence owing, in ſome meaſure, that there was ſhown all along greater marks of moderation and humanity, than is common in ſuch a warlike and hoſtile proceeding. The ſuddenneſs of the attach at Preſton, without any previous ſummons, admitted no time for mediating a ſubmiſſion, before the loſs of that blood which was there unfortunately ſpilt; but after the heat and ſurprize of the firſt action was over, a ceſſation of

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arms was desired, and upon the mutual messages, which then passed, the officers sent from the general encouraged them to believe, the surrendring themselves would be the ready way to obtain the King's mercy; and gave them repeated assurance, that they submitted to a prince of the greatest clemency in the world. Upon these hopes and assurance, they made a general surrender of themselves to the King: and the said lord may justly take notice to your lordships, that as he was the last who took up arms, so he was the first who procured a meeting of the chief persons among them, in order to lay them down; and cannot doubt, but your lordships, and the honourable House of Commons, will think it equitable to make some distinction between an obstinate resistance, and an early and humble submission; whereby the peace and tranquillity of this part of his Majesty's dominions was intirely restored. Nature must have started at yielding themselves up to a certain and ignominious death, when it must be acknowledged, that it was not impracticable for many of them to have escaped; and it was possible, so great a number grown desperate, might have obtained further success, and thereby prevented the so speedy suppressing that insurrection. But the said lord, and the rest, having with the utmost confidence relied on the assurances of his Majesty's great clemency, and the hopes of mercy, that had been given them from the officers who commanded the royal forces, he is encouraged with great earnestness, to implore the intercession of your lordships and the honourable House of Commons, with his Majesty, for that mercy on which they wholly depended: and as he doth not know, where mercy was refused to those, who so early, and with so much resignation submitted to it; so he humbly hopes, your lordships may be induced to think, that the exercise of this divine virtue by his Majesty, towards those

thoſe who caſt themſelves at his royal feet upon the ſole proſpect and expectation of it, will appear no leſs glorious, and prove no leſs advantageous to the future quiet and tranquillity of his government, than any examples of juſtice in ſuch a caſe can be likely to do: and whatever marks of goodneſs and favour his Majeſty ſhall vouchſafe to the ſaid lord, will not fail to engage him to the ſtrongeſt ties of gratitude, to demonſtrate, in the ſame future courſe of his life, the moſt conſtant and inviolable duty to his Majeſty, and the moſt real eſteem and veneration for your lordſhips, and the honourable Houſe of Commons.

The anſwer of William *Earl of* Nithiſdale *to the Articles of Impeachment, &c.*

IT is with the greateſt confuſion the ſaid Earl appears at your lordſhip's bar, under the weight of an impeachment by the commons of great Britain, for high-treaſon; he humbly begs leave, in extenuation of his crime, to aſſure your lordſhips, that he was always a zealous aſſertor of the liberties of his country, and never engaged in forming or carrying on any deſign to ſubvert the antient eſtabliſhed government, and the good laws of this kingdom; but being ſummoned by thoſe intruſted with the adminiſtration of the government in Scotland, to appear at Edinburgh, and being aſſured if he went thither, he ſhould be made cloſe priſoner, he did not obey the ſummons; but in all humble manner applied for their indulgence, in diſpenſing with his being committed to jail, offering to give any bail for his peaceable and quiet behaviour; which being refuſed, and being at that time in ſo ill a ſtate of health, that a confinement in Edinburgh caſtle would have endangered his life, he was forced to abſcond, and kept private, till ſeveral of the perſons mentioned in the ſaid

ſaid impeachment, with many others of his neighbours, appeared in arms very near the place where the ſaid Earl lay concealed; and then he inconſiderately and unfortunately (with four of his domeſticks, and no other perſon whatſoever) joined them, and proceeded in their company to the place in the ſaid articles of impeachment mentioned; but he knew nothing of the intended inſurrection till they were actually in arms. The ſaid Earl is deeply ſenſible of his great offence, and not affecting delay, nor being willing to give your lordſhips, or the honourable Houſe of Commons, any unneceſſary trouble, "He "does, with a ſorrow equal to his crime, confeſs "that he is guilty of the treaſon, in the ſaid arti-"cles of impeachment contained," and throws himſelf at his Majeſty's feet, imploring his royal mercy: and to incline his Majeſty thereto, and induce your lordſhips to recommend him as an object thereof; he begs leave to inform your lordſhips, that when he, and the reſt that were with him at Preſton, had engaged in a battle, a ceſſation of arms being agreed to, they had intimations from his Majeſty's officers, that if they ſubmitted, they might expect the King's mercy; and hiſtory abounded with inſtances of conditions ſtipulated with generals, even with rebels, and afterwards agreed to, and confirmed by their ſovereigns; they were prevailed on by ſuch encouragement, together with the conſideration of his majeſty's known clemency, to ſurrender themſelves priſoners: whereby the lives of great numbers of his Majeſty's good ſubjects were ſaved, which by an obſtinate reſiſtance would inevitably have been deſtroyed. And therefore he moſt humbly begs your lordſhips would be pleaſed to recommend his caſe to his Majeſty in the moſt favourable manner, not doubting but by your lordſhips powerful interceſſion, he ſhall find, that as he performed the duty of a good Chriſtian, in concurring

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to prevent the effuſion of blood, ſo he acted the part of a wiſe man, in relying upon a mercy ſo extenſive as that of his Majeſty. And he preſumes, when the honourable Houſe of Commons are apprized of the nature of his caſe, they will not interpoſe to prevent him from having a ſhare in the benefit of that mercy.

The Anſwer of Robert *Earl of* Carnwath, *to the Articles of Impeachment, &c.*

HE ſaid he had no anſwer in writing, but deſired to throw himſelf on the King's mercy, and humbly implored their lordſhips interceſſion to his Majeſty on his behalf; and aſſured the houſe, if the ſame were granted, he ſhould think himſelf obliged to live under the ſtricteſt ties of loyalty to his Majeſty; and as to the ſaid articles, he ſaid, "He was "guilty of the High Treaſon contained in the ſaid "articles of impeachment againſt him."

The Anſwer of William *Viſcount* Kenmure, *to the Articles of Impeachment, &c.*

HE ſaid he had no anſwer in writing; but "was "guilty of the charge of high treaſon con-"tained in the articles of impeachment againſt him," and begged the houſe would intercede with his Majeſty for mercy.

The Anſwer of William *Lord* Nairn, *to the Articles of Impeachment, &c.*

HE ſaid he threw himſelf upon the King's mercy, begged the interceſſion of the Houſe to his Majeſty; and as to the articles of impeachment, he ſaid, "He was guilty of the high treaſon contained in the ſaid articles." Then he delivered in a petition at the bar, which was as follows.

To the right honourable the Lords Spiritual and Temporal in Parliament aſſembled.

THE humble petition of William Lord Nairn, ſheweth, that your petitioner was educated, and hath always continued a Proteſtant, according to the diſcipline of the Church of England; and though, by reaſon of ſome miſtaken principles, he unwarily, in his tender years, did not in all reſpects conform to the late revolution, lying under the leſs neceſſity, for that he had married an heireſs, in whom all the right of your petitioner's eſtate is inveſted; and though he never took the oaths, yet he always peaceably ſubmitted to, and lived quietly under the government as by law eſtabliſhed, until the breaking out of this rebellion, in which your petitioner was inadvertently involved; but not before the Lord Mar, and his adherents, had for a conſiderable time made themſelves maſters of Perth and Dunkeld, and thereby ſurrounded your petitioner's whole eſtate, and came to your petitioner's houſe, lying in the middle between thoſe places.

Your petitioner heartily repents of this raſh undertaking, and ſolemnly declares he knew nothing of any previous conſultation or conſpiracies in favour of the Pretender, before he actually appeared in arms; nor knew any thing about croſſing the Forth, until the morning he was ſent over under Mackintoſh's command: and then was ſo far from approving of that expedition, that though to avoid the imputation of cowardice, he would hazard his own perſon therein, your petitioner ordered back all his dependents, and was only attended by his ſon and four ſervants, who would not leave him in a time of danger, though often deſired: nor was your petitioner privy to any deſigns of marching into England; for having been bred a ſeaman, he had no pretenſions

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to knowledge in the land-ſervice, Your petitioner being now ſenſible of his errors, hath pleaded guilty to the articles of impeachment of high treaſon, exhibited againſt him by the honourable Houſe of Commons, and thrown himſelf at his Majeſty's feet, humbly beſeeching your lordſhips, in commiſeration of the deplorable circumſtances of your petitioner, and his twelve children, to recommend him to his Majeſty for that mercy, which at the time of his ſurrender he was made to believe he might reaſonably expect.

The next day the Lords ſent a meſſage to the Commons, to acquaint them that the ſix lords had pleaded guilty to the articles of impeachment, which pleas the Lords had ordered to be recorded; and the Commons reſolved, *Nemine Contradicente*, to go and demand judgment againſt the lords; but by reaſon of the King's coming to the Houſe that day, it was deferred: and on February the 2d. the Lords ſent a meſſage to the Commons, to ſignify, that they had appointed the 9th of that month to give judgment againſt them; and accordingly, the Houſe of Lords and Commons being met in Weſtminſter-Hall, the ſix lords were brought to the bar; and being aſked by the Lord High Steward, what they had to ſay why judgment ſhould not paſs upon them according to law, ſpake as followeth:

The Earl of Derwentwater's *Speech.*

I Only humbly beg leave of my noble peers to repeat a few circumſtances mentioned in my anſwer to the articles of impeachment exhibited againſt me by the honourable Houſe of Commons.

But the terrors of your lordſhip's juſt ſentence, which at once deprive me of life and eſtate, and compleat the misfortunes of my wife and innocent children, are ſo heavy upon mind, together with

my inexperience, that I am ſcarce able to alledge what may extenuate my offence, if any thing can do it. I have confeſſed myſelf guilty, but, my lords, that guilt was raſhly incurred, without any premeditation, as I hope your lordſhips will be convinced by one particular. I beg leave to obſerve, I was wholly unprovided with men, horſes, arms, and other neceſſaries; which, in my ſituation, I could not have wanted, had I been privy to any formed deſign. As my offence was ſudden, ſo my ſubmiſſion was early. When his Majeſty's generals thought fit to demand hoſtages for ſecuring the terms of the ceſſation, I voluntarily offered myſelf, without which the ceſſation might poſſibly have proved unſucceſsful; and while I continued hoſtage, the great character of his Majeſty's clemency, and the repeated encouragement I had to hope for mercy, by ſurrendering to it, ſoon determined me, and I accordingly declared my reſolution to remain with his Majeſty's forces, and from that time ſubmitted myſelf to his goodneſs, on which I ſtill entirely depend. I humbly hope to obtain the mediation of your lordſhips, and of the honourable Houſe of Commons in my behalf; ſolemnly proteſting, my future conduct ſhall ſhew me not altogether unworthy your generous compaſſion for my life, which is all I can beg of his Majeſty.

The Lord Widdrington's *Speech.*

MY Lords, I have abandoned all manner of defence ever ſince I firſt ſurrendered myſelf to his Majeſty's royal clemency; and only now beg leave to repeat to your lordſhips ſome circumſtances of my unhappy caſe, which I have already ſet forth in anſwer.

Your lordſhips ſee before you an unfortunate man, who after leading a private and retired life for many years,

years, has, by one raſh and inconſiderate action, expoſed himſelf and his family to the greateſt calamities and miſery, and is now upon the point of receiving the ſevereſt ſentence directed by any of our Engliſh laws.

I do proteſt to your lordſhips, that I was never privy to any concerted meaſures againſt his Majeſty's royal perſon, or the eſtabliſhed government.

As to the inſurrection in Northumberland, I only heard of it accidentally the night before it happened; and being ſoon informed that all my neighbours and acquaintance had met in arms, a croud of confuſed and miſtaken notions hurried me at once into a precipiate reſolution of joining them; a reſolution, which, I muſt own, I could never ſince calmly reflect upon, without part of that confuſion I find myſelf under in the public acknowledgment of ſo much raſhneſs and folly. After thus plunging out of my depth, as unprepared for ſuch an enterprize as the action was unpremeditated, I cannot for my own particular, upon the ſtricteſt recollection, charge myſelf with any violation of the property of my fellow-ſubjects; but on the contrary, I always endeavoured to encourage humanity and moderation, during the whole courſe of our miſerable expedition; and in order to make the beſt attonement in my power for the great fault I had been guilty of, I can juſtly ſay, that I was in no ſmall degree inſtrumental in procuring a general ſubmiſſion to his majeſty. But, my lords, however willing or deſirous, either I, or any others, might be, to put a ſpeedy end to thoſe unfortunate troubles, ſelf-preſervation, the firſt and moſt powerful law of nature, would have rendered the propoſal vain and fruitleſs, had not the officers, who commanded the royal forces, given us hopes of mercy, and aſſured us we ſubmitted to a prince of the greateſt clemency in the world. Theſe hopes, and this aſſurance anſwered the ſtrongeſt objections,

jections, overcame all remaining difficulties, and gave the finiſhing ſtroke to a general ſurrender; whereby the further effuſion of Britiſh blood was prevented, and a perfect tranquillity reſtored to theſe parts of his Majeſty's Dominions.

My Lords, as this my firſt attempt was raſh and unpremeditated, as I always uſed and promoted moderation and humanity towards my fellow-ſubjects, as I did not obſtinately perſiſt in my fault, but was the firſt who propoſed an early ſubmiſſion to his Majeſty; I humbly hope my unhappy caſe, and the deplorable condition of my unfortunate children, already deprived of their tender mother, will raiſe a generous compaſſion in your lordſhips, and the honourable Houſe of Commons: and I moſt earneſtly entreat both your lordſhips and that honourable Houſe, to become interceſſors with his Majeſty in my behalf, for that mercy which I was encouraged to hope for when I firſt ſurrendered, and relied upon.

I have only to add my moſt ſolemn aſſurance, before this auguſt aſſembly, that no future time ſhall ever find me wanting in the moſt inviolable duty and gratitude to that merciful prince who gives me my life, and reſtores a father to five miſerable and diſtreſſed orphans; and I ſhall always retain the higheſt eſteem and veneration for your lordſhips and the honourable Houſe of Commons.

The Lord Nithiſdale's *Speech.*

MY Lords, I have confeſſed myſelf guilty, relying only on his Majeſty's mercy, and I beg leave to aſſure your lordſhips, I was never privy to any plot or deſign againſt his Majeſty's perſon or government, and was unprovided with any neceſſaries for ſuch a purpoſe; but raſhly and inconſiderately

rately, with only four of my ſervants, joined thoſe who appeared in arms in my neighbourhood, and was one of the laſt who went unto them.

At Preſton, my Lords, his Majeſty's generals gave great hopes and encouragement to believe, that ſurrendering to his Majeſty's mercy, was the ready way to obtain it; with repeated aſſurances, that his Majeſty was a prince of the greateſt clemency.

Upon theſe hopes and aſſurances I ſubmitted my ſelf, and ſtill entirely depend upon his Majeſty's goodneſs, earneſtly beſeeching your Lordſhips, and the honourable Houſe of Commons, to interceed with his Majeſty on my behalf.

And I ſolemnly promiſe your lordſhips, I ſhall, during the remainder of my life, pay the utmoſt duty and gratitude to his moſt gracious Majeſty, and the higheſt veneration and reſpect to your lordſhips, and the honourable Houſe of Commons.

The Lord Carnwath's *Speech.*

MY Lords, I ſhall not trouble this great aſſembly with a repetition of what I ſaid when formerly before your Lordſhips and his Majeſty's council.

I hope theſe noble lords entertain that favourable opinion of my ſincere dealing then, as to believe that want of experience and knowledge of the laws was the great inducement of engaging me in this fatal and unhappy undertaking.

The only thing I hope or wiſh for, is his Majeſty's mercy. He has the character of a merciful prince; ſhould it pleaſe him to think me a proper object for it, (though I muſt confeſs myſelf a very unworthy one) all I can ſay, my lords, is, that the remainder of my life ſhall convince his Majeſty, and all the world, of my true penitence and gratitude.

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My Lords, I am yet an unworthy Member of this great body, the Peerage, now expecting your lordſhips judgment as to life or death; ſhould it be for life, my demeanor and carriage for the future will be ſuch, as none of your lordſhips ſhall be aſhamed of having ſhewed me compaſſion; but ſhould it be for death, God's will be done. To my laſt hour I ſhall pray for the nation's and your lordſhips proſperity, having this comfort in my preſent diſtreſs, that your lordſhips are my judges at this tribunal; and yet a greater comfort have I, that I am ſoon to appear before a greater, where I can't deſpair of finding mercy and forgiveneſs for all my ſins; I beg God Almighty's pardon for them; I have aſked his Majeſty's, and do it now: and I do humbly beg leave once more, and perhaps the laſt occaſion ever I ſhall have, to deſire that your Grace, this noble Houſe, and the honourable Commons of Great Britain, who are now here, would intercede with Majeſty for me. I take my leave of your lordſhips, wiſhing you all happineſs.

The Lord Kenmure's *Speech.*

MY Lords, I am truly ſenſible of my crime, and want words to expreſs my repentance. God knows I never had any preſonal prejudice againſt his Majeſty, nor was I ever acceſſary to any previous deſign againſt him. I humbly beg my noble Peers, and the honourable Houſe of Commons, to intercede with the King for mercy to me, that I may live to ſhow myſelf the dutifulleſt of his ſubjects, and to be the means to keep my wife and four ſmall children from ſtarving; the thoughts of which, with my crime, makes me the moſt unfortunate of all gentlemen.

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The Lord Nairn's *Speech.*

I Am very ſenſible how unfit I am to plead my own cauſe, before your grace (my Lord High Steward) and this auguſt aſſembly: and therefore, though I could ſay much to extenuate the crime for which I ſtand impeached, yet I chuſe rather to lay my whole ſtreſs upon the King's mercy, for which he is ſo renowned, and which I was put in hopes of at the time of my ſurrender. In conſideration whereof, and in commpaſſion to an afflicted wife and twelve children, I ſtill hope, by the mediation of your grace, my noble Lords, and the honourable Houſe of Commons, I may obtain it; ſolemnly proteſting, that in gratitude for ſo ſignal a deliverance, I will, to the end of my life, remain a dutiful and obedient ſubject to his moſt gracious and ſacred Majeſty King George.

Then proclamation commanding ſilence being made, the Lord High Steward ſpake as followeth:

JAMES Earl of Derwentwater, William Lord Widdrington, William Earl of Nithiſdale, Robert Earl of Carnwath, William Viſcount Kenmure, William Lord Nairn.

You ſtand impeached by the Commons of Great Britain in parliament aſſembled, of high treaſon, in traiterouſly imagining, and compaſſing the death of his moſt ſacred majeſty, and in conſpiring for that end to levy a bloody and deſtructive war againſt his Majeſty, in order to depoſe and murder him; and in levying war accordingly, and proclaiming a Pretender to his crown to be king of theſe realms.

Which impeachment, though one of your lordſhips, in the introduction to his plea, ſuppoſed to be out of the ordinary and common courſe of the law

and juſtice, is yet as much a courſe of proceeding according to the common law, as any other whatſoever.

If you had been indicted, the indictment muſt have been removed and brought before the Houſe of Lords, (the Parliament ſitting). In that caſe you had ('tis true) been accuſed only by the Grand-Jury of one country; in the preſent, the whole body of the commons of Great-Britain, by their repreſentatives, are your accuſers.

And this circumſtance is very obſervable (to exclude all poſſible ſuppoſition of hardſhip, as to the method of proceeding againſt you, that however all great aſſemblies are apt to differ on other points, you were impeached by the unanimous opinion of the houſe of Commons (not one contradicting.)

They found themſelves, it ſeems, ſo much concerned in the preſervation of his moſt truly ſacred Majeſty, and the proteſtant ſucceſſion (the very life and ſoul of theſe kingdoms) that they could not omit the firſt opportunity of taking their proper part, in order to ſo ſignal and neceſſary an act of his Majeſty's juſtice.

And thus the whole body politic of this free kingdom, as in a manner roſe up in its own defence, for the puniſhment of thoſe crimes, which, it was rightly apprehended, had a direct tendency to the everlaſting diſſolution of it.

To this impeachment you have ſeverally pleaded, and acknowledged yourſelves guilty of the high treaſon therein contained.

Your pleas are accompanied with ſome variety of matter to mitigate your offences, and to obtain mercy.

Part of which, as ſome of the circumſtances ſaid to have attended your ſurrender, (ſeeming to be offered rather as arguments only for mercy, than any thing

thing in mitigation of your preceeding guilt, is not proper for me to take notice of.

But as to the other part which is meant to extenuate the crimes of which you are convicted, it is fit I ſhould take this occaſion to make ſome obſervation to your lordſhips upon it, to the end that the judgment to be given againſt you may clearly appear to be juſt and righteous, as well as legal; and that you may not remain under any fatal error in reſpect of a greater judicature, by reflecting with leſs horror and remorſe on the guilt you have contracted, than it really deſerves.

It is alledged by ſome of your lordſhips, that you engaged in this rebellion without previous concert or deliberation, and without ſuitable preparations of men, horſes, and arms.

If this ſhould be ſuppoſed true, on ſome of your lordſhips averring it, I deſire you to conſider, that as it exempts you from the circumſtances of contriving this treaſon, ſo it very much aggravates your guilt in that part you have undoubtedly borne in the execution of it.

For it ſhews, that your inclinations to rebel were ſo well known, (which could only be from a continued ſeries of your words and actions) that the contrivers of that horrid deſign depended upon you, and therein judged rightly; that your zeal to engage in this treaſon was ſo ſtrong, as to carry you into it on the leaſt warning, and the very firſt invitation: that you would not excuſe yourſelves by want of preparation, as you might have done; and that rather than not have ſhared in the rebellion, you would plunge yourſelves into it, almoſt naked and unprovided for ſuch an enterprize: in ſhort, that your men, horſes, and arms, were not ſo well prepared as they might, and would have been on longer warning; but your minds were.

It is alledged alſo as an extenuation of your crimes that no cruel or harſh action (I ſuppoſe is meant no rapine or plunder, or worſe) has been committed by you.

This may, in part only, be true: but then your lordſhips will at the ſame conſider, that the laying waſte a tract of land, bears but a little proportion in point of guilt, compared with that crime of which you ſtand convicted; an open attempt to deſtroy the beſt of Kings, to ruin the whole fabrick, and raze the very foundations of a government, the beſt ſuited of any of the world, to perfect the happineſs, and ſupport the dignity of human nature. The former offence cauſes but a miſchief that is ſoon recovered, and is uſually pretty much confined; the latter, had it ſucceeded, muſt have brought a laſting and univerſal deſtruction on the whole kingdom.

Beſides, much of this was owing to accidents; your march was ſo haſty, partly to avoid the King's troops, and partly from a vain hope to ſtir up inſurrection in all the countries you paſſeth through, that you had not time to ſpread devaſtation, without deviating from your main, and, as I have obſerved much worſe deſign.

Farther: 'Tis very ſurprizing that any concerned in this rebellion, ſhould lay their engaging in it on the government's doing a neceſſary and uſual act in like caſes, for its preſervation; the giving orders to confine ſuch as were moſt likely to join in that treaſon: 'tis hard to believe that any one ſhould rebel, merely to avoid being reſtrained from rebelling; or that a gentle confinement would not much better have ſuited a crazy ſtate of health, than the fatigues and inconveniences of ſuch long and haſty marches in the depth of winter.

Your lordſhips riſing in arms therefore, has much more juſtified the prudence and fitneſs of thoſe orders,

ders, than thoſe orders will in any wiſe ſerve to mitigate your treaſon. Alas! happy had it been for all your lordſhips, had you fallen under ſo indulgent a reſtraint!

When your lordſhips ſhall in good earneſt apply yourſelves to think impartially on your caſe, ſurely you will not yourſelves believe that it is poſſible, in the nature of the thing, to be engaged, and continue ſo long engaged, in ſuch a difficult and laborious enterprize, through raſhneſs, ſurprize, or inadvertancy; or that had the attack at Preſton been leſs ſudden, (and conſequenly the rebels better prepared to receive it) your lordſhips had been reduced the ſooner, and with leſs, if not without any bloodſhed.

No, my lord, theſe, and ſuch like, are artful colourings proceeding from minds filled with expectation of continuing in this world, and not from ſuch as are preparing for their defence before a tribunal, where the thoughts of the heart, and the true ſprings and cauſe of actions muſt be laid open.

And now, my lords, having thus removed ſome falſe colours you have uſed; to aſſiſt you yet farther in that neceſſary work of thinking on you great offences as you ought, I proceed to touch upon ſeveral circumſtance that ſeemed greatly to aggravate your crime, and which will deſerve your moſt ſerious conſiderations.

The divine virtues ('tis one of your lordſhips own epithets) which all the world, as well as your lordſhips, acknowledge to be in his Majeſty, and which you now lay claim to, ought certainly to have with-held your hands from endeavouring to depoſe, to deſtroy, to murder, that moſt excellent prince; ſo the impeachment ſpeaks, and ſo the law conſtrues your actions: and this is not only true in the notion of law, but almoſt always ſo in deed and reality. 'Tis a trite, but very true remark, that there

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are but few hours between Kings being reduced under the power of pretenders to their crown, and their graves. Had you ſucceeded, his Majeſty's caſe would, I fear, have hardly been an exception to that general rule, ſince it is highly improbable, that flight ſhould have ſaved any of that illuſtrious and valiant family.

'Tis a further aggravation of your crime, that his Majeſty, whom your lordſhips would have dethroned affected not the crown by force, or by the arts of ambition, but ſucceeded peaceably and legally to it; and on the deceaſe of her late Majeſty without iſſue, became undoubtedly the next in the courſe of deſcent capable of ſucceeding to the crown, by the law and conſtitution of this kingdom, as it ſtood declared ſome years before the crown was expreſsly limited to the Houſe of Hannover. This right was acknowledged, and the deſcent of the crown limited or confined accordingly, by the whole legiſlature in two ſucceſſive reigns, and more than once in the latter, which your lordſhips accomplices are very far from allowing, would bias the nation to that ſide.

How could it then enter into the heart of man, to think that private perſons might with a good conſcience endeavour to ſubvert ſuch a ſettlement by running to tumultuary arms, and by intoxicating the dregs of the people, with contradictory opinions, and groundleſs ſlanders: or that God's providence would ever proſper ſuch wicked, ſuch ruinous attempts? eſpecially if in the next place it be conſidered, that the moſt fertile invention on the ſide of the rebellion, have not been able to aſſign the leaſt ſhadow of a grievance as the cauſe of it: to ſuch poor ſhifts have they been reduced on this head, that for want of better colours, it has been objected, in a ſolemn manner, by your lordſhips aſſociates, to his majeſty's government, that his people

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do not enjoy the fruits of peace as our neighbours have done ſince the laſt war: thus they firſt rob us of our peace, and then upbraid us that we have it not. 'Tis a monſtrous rebellion that can find no fault with the government it invades, but what is the effect of the rebellion itſelf.

Your lordſhips will likewiſe do well to conſider what an additional burden your treaſon has made neceſſary on the people of this kingdom, who wanted, and where about to enjoy ſome reſpite: to this end, 'tis well known, that all new, or increaſe of taxes, were the laſt year chearfully avoided, and his Majeſty was contented to have no more forces than were juſt ſufficient to attend his perſon, and ſhut the gates of a few garriſons.

But what his Majeſty thus did for the eaſe and quiet of his people you moſt ungratefully turned to his diſadvantage, by taking encouragment from thence, to endanger his and his kingdoms ſafety, and to bring oppreſſion on your fellow-ſubjects.

Your lordſhips obſerve, I avoid expatiating on the miſeries of a civil war, a very large and copious ſubject; I ſhall but barely ſuggeſt to you on that head, that whatever thoſe calamities may happen to be in the preſent caſe, all who are, at any time, or in any place, partakers in the rebellion, (eſpecially perſons of figure and diſtinction) are in ſome degree reponſible for them; and therefore your lordſhips muſt not hold yourſelves quite clear from the guilt of thoſe barbarities which have been lately committed by ſuch as are engaged in the ſame treaſon with you, and not yet perfectly reduced, in burning the habitations of their countrymen, and thereby expoſing many thouſands to cold and hunger in this rigorous ſeaſon.

I muſt be ſo juſt to ſuch of your lordſhips, as profeſs the religion of the Church of Rome, that you had one temptation, and that a great one, to

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engage you in this treaſon, which the others had not; in that, 'twas evident, ſucceſs on your part muſt for ever have eſtabliſhed Property in this kingdom, and probably you could never have again ſo fair an opportunity.

But then, good God! how muſt thoſe Proteſtants be covered with confuſion, who entered into the ſame meaſures, without ſo much as capitulating for their religion, (that ever I could find from any examination I have ſeen or heard) or ſo much as requiring, much leſs obtaining a frail promiſe, that it ſhould be preſerved, or even tolerated.

It is my duty to exhort your lordſhips thus to think of the aggravations as well as the mitigations (if there be any) of your offences: and if I could have the leaſt hopes, that the prejudices of habit and education would not be too ſtrong for the moſt earneſt and charitable entreaties; I would beg you not to rely any longer on thoſe directors of your conſciences, by whoſe conduct you have, very probably, been led into this miſerable condition; but that your lordſhips would be aſſiſted by ſome of thoſe pious and learned divines of the Church of England, who have conſtantly borne that infallible mark of ſincere Chriſtians, univerſal charity.

And now, my lords, nothing remains, but that I pronounce upon you (and ſorry I am that it falls to my lot to do it) that terrible ſentence of the law, which muſt be the ſame that is uſually given againſt the meaneſt offender in the like kind.

The moſt ignominious and painful parts of it are uſually remitted by the grace of the crown to perſons of your quality; but the law, in this caſe, being deaf to all diſtinctions of perſons, requires I ſhould pronounce, and accordingly it is adjudged by this court,

That

That you, James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithiſdale, Robert Earl of Carnwath, William Viſcount Kenmure, and William Lord Nairn, and every of you, return to the priſon of the Tower from whence you came; from thence you muſt be drawn to the place of execution; when you come there, you muſt be hanged by the neck, but not till you be dead; for you muſt be cut down alive, then your bowels muſt be taken out, and burnt before your faces; then your heads muſt be ſevered from your bodies, and your bodies divided each into four quarters; and theſe muſt be at the King's diſpoſal. And God Almighty be merciful to your ſouls.

Theſe lords being thus ſentenced, were remanded back to the Tower, and on the 18th of February orders were ſent to the Lieutenant of the Tower and Sheriffs for their execution; and great ſolicitations were made in favour of them, which did not only reach the court, but came down to the two Houſes of Parliament, and petitions were delivered in both, which being backed by ſome, occaſioned debates: that in the Houſe of Commons aroſe no higher than to occaſion a motion for adjournment, thereby to prevent any further interpoſition there; but the matter in the Houſe of Peers was carried on with more ſucceſs, where their petitions were delivered and ſpoke to, and it was carried by nine or ten voices, that the ſame ſhould be received and read. And the queſtion was put, whether the King had power to reprieve in caſe of impeachment? which being carried in the affirmative, a motion was made to addreſs his Majeſty to deſire him to grant a reprieve to the lords under ſentence; but they only obtained this clauſe, viz. "To reprieve ſuch of the condemned lords as deſerve his mercy; and that the time of

the reſpite ſhould be left to his Majeſty's diſcretion."

To which addreſs the king made anſwer,

"That on this, and other occaſions, he would do "what he thought moſt conſiſtent with the dignity "of his crown, and the ſafety of his people."

The great parties they had made, as was ſaid, by the means of money, and alſo the raſh expreſſions too rife in the mouth of abundance of their fautors, as if the goverment did not dare to execute them, did not a little contribute to the haſtening their execution: for on the ſame day the addreſs was preſented, the 23d of February, it was reſolved in council, that the Earl of Derwentwater, and the Lord Kenmure ſhould be beheaded; and the Earl of Nithiſdale apprehending himſelf included in the warrant, made his eſcape the evening before, in a woman's riding-hood, which he found means to do, from a viſit his mother and ſome other relations then paid him.

On the 24th of February, in the morning, three ſtrong detachments of the Life-Guards marched from White Hall to Tower-Hill, where they took poſt round the ſcaffold. About ten the two lords were brought in two hackney-coaches from the Tower of London, received by the ſheriffs at the bar, and were conducted to the Tranſport-Office upon Tower-Hill, where they had ſeparate rooms for their private devotions, and had what friends they deſired admitted to them.

The Lord Derwentwater having been about an hour in his room with his friends, ſent notice to the ſheriffs he was ready, and Sir John Fryer walked before him to the ſcaffold, and when he was come on it, told him he might have all the time he pleaſed for his preparation, aad aſked him if his lordſhip had any paper to leave behind; to which he anſwered, he ſhould only read ſome prayers, &c. out of two

ſmall

ſmall books: then he deſired he might read a paper which he had drawn up, and repeat the aforeſaid prayers, &c. and then he ſhould be ready. Accordingly he kneeled down, and ſpent ſome time in devotion; and getting up, he took a paper out of his pocket, which he read, and was as follows:

" Being in a few minutes to appear before the " Tribunal of God, where, though moſt unworthy, I hope to find mercy, which I have not found " from men now in power; I have endeavoured to " make my peace with his Divine Majeſty, by moſt " humbly begging pardon for all the ſins of my life: " and I doubt not of a merciful forgiveneſs, through " the merits of the paſſion and death of my Saviour " Jeſus Chriſt; for which end I earneſtly deſire the " prayers of all good Chriſtians. After this I am to " aſk pardon of thoſe whom I might have ſcandalized, by pleading guilty at my trial. Such as " were permitted to come to me, told me, that having been undeniably in arms, pleading guilty was " but the conſequence of having ſubmitted to mercy, " and many arguments were uſed to prove there was " nothing of moment in ſo doing; amongſt others, " the univerſal practice of ſigning leaſes, whereof the " preambles run in the name of the perſon in poſſeſſion. But I am ſenſible that in this I have " made bold with my loyalty, having never any " other but King James the Third for my rightful " and lawful ſovereign; him I had an inclination to " ſerve from my infancy, and was moved thereto by " a natural love I had to his perſon, knowing him to " be capable of making his people happy: and though " he had been of a different religion from mine, I " ſhould have done for him all that lay in my power, " as my anceſtors have done for his predeceſſors, being thereto bound by the laws of God and man. " Wherefore, if in this affair I have acted raſhly it

" ought not to affect the innocent: I intended no " wrong to any body, but to ſerve my King and " country, and that without ſelf intereſt, hoping, by " the example I gave, to have induced others to their " duty; and God, who ſees the ſecrets of my heart, " knows I ſpeak truth. Some means have been pro- " poſed to me for ſaving my life, which I looked upon " as inconſiſtent with honour and conſcience, and " therefore I rejected them; for, with God's aſ- " ſiſtance, I ſhall prefer any death to the doing a " baſe unworthy action. I only wiſh now, that the " laying down my life might contribute to the ſer- " vice of my King and country, and the re-eſta- " bliſhment of the antient and fundamental conſti- " tution of theſe kingdoms, without which no laſting " peace or true happineſs can attend them; then I " ſhould indeed part with life even with pleaſure. " As it is, I can only pray, that theſe bleſſings may " be beſtowed upon my dear country; and ſince I " can do no more, I beſeech God to accept of my life " as a ſmall ſacrifice towards it. I die a Roman Ca- " tholic. I am in perfect charity with all the world, " I thank God for it, even with thoſe of the pre- " ſent Government, who are moſt inſtrumental in my " death. I freely forgive ſuch as ungenerouſly re- " ported falſe things of me, and I hope to be forgiven " the trepaſſes of my youth, by the father of infinite " mercy; into whoſe hand I commend my ſoul.

" JAMES DERWENTWATER.

Poſtſcript of the Speech.

" If that Prince, who now governs, had given me " my life, I ſhould have thought myſelf obliged never " more to have taken up arms againſt him."

Then Sir John Fryer ſaid, " My Lord I deſire " your lordſhip will let me have your paper."

To which he replied; " I have ſent a copy of it to " my friends," and then gave it to him. After which he

he repeated ſeveral portions of ſcripture out of the aforeſaid book. " Have mercy upon me, O God ! " according to thy loving kindneſs, according unto the " multitude of thy tender mercies, blot out my tranſ- " greſſions. O Lord ! thy will be done. The Lord " giveth, and the Lord taketh away, and bleſſed be " the name of the Lord. Lord ! thy will be done " on earth, as it is done in Heaven. Lord ! thy will " be done on earth, as it is done in Heaven. Lord ! " thy will be done on earth, as it is done in Heaven. " Give me patience, that I may ſuffer as becomes " a Chriſtian and thy diſciple." Then, turning to the executioner, ſaid, May I take off my wig ? who anſwered, that he muſt ; and accordingly did.

Execut. My Lord, muſt I have your hat and wig ?

Lord Derw. Yes. I forgive all that are concerned in my execution, and I forgive all the world.

Execut. I aſk your lordſhip's forgiveneſs.

Lord Derw. With all my heart. I forgive all my enemies ; I forgive the moſt malicious of them ; and I do forgive you.

And then he made ſome ſhort ejaculation to himſelf.

Execut. Hath your Lordſhip any thing to give me ?

Lord Derw. You will find ſomething for you in my pocket ; (which were too half-broad-pieces) and I have given that gentleman (pointing to him who held his hat and wig) ſomewhat more for you.

" Let me lie down once to ſee how the block fits me" which he did : then kneeling down again, and making a ſhort prayer with the executioner, he aroſe, and undreſſed himſelf for execution, the executioner aſſiſting him. After which, he deſired the executioner to take notice, that when he had heard him ſay, " Sweet Jeſus," that then he ſhould do his office ſo ſoon as he pleaſed. After which he laid himſelf down

down on the block, and ſaid, " I forgive my ene-
" mies, and hope that God will forgive me ;" and then turning his head up towards the executioner, ſaid, after the third time I cry " Sweet Jeſus, " ſtrike then, and do what is moſt convenient for you.

Lord Derw. " Sweet Jeſus ! receive my ſpirit ; " ſweet Jeſus ! be merciful to me : ſweet Jeſus !" and ſeemed to be going on, when the executioner broke his ſentence by ſevering his head from his body. Then the executioner taking up the head, and elevating it at the ſeveral quarters of the ſcaffold, cried, with a loud voice, " Behold the head of a " traitor : God ſave King George." After which, his friends not being provided with a hearſe and coffin, Sir John Fryer ordered the body to be decently wrapped up in black bays, and carried to a hackney-coach, and delivered to his friends ; one of which had wrapped up his head in a handkerchief. And when the ſcaffold had been decently cleared, and freſh bays laid on the block, and freſh ſaw-duſt ſtrewed, that none of the blood appeared, then the Lord Viſcount Kenmure was ſent up to Sir John Fryer, who addreſſed him after this manner.

Sir John Fryer. My Lord, has your Lordſhip any perſon to aſſiſt you ?

Lord Kenm. There are two clergymen, and ſome friends below ; which Sir John Fryer ordered to be called up, and they came accordingly.

Sir John Fryer. My Lord, what are their names ?

Lord Kenm. Mr. Sharp, &c. Whereupon they were called up : he told them he had ſo little thoughts of dying ſo ſoon, that he had not provided a black ſuit, that he might have died with more decency, for which he was ſorry.

Sir John Fryer. Hath your lordſhip any paper to leave ?

Lord Kenm. No.

Then

Then his Lordſhip, with the two clergymen, and the reſt of his friends, retired to the South ſide of the ſtage, where they joined together in penitential prayers, and others proper to the occaſion, taken out of a written book: and after thoſe ended, ſome out of a printed book: after which he turned himſelf to his private devotion, which was concluded by a recommendatory prayer of the clergyman aforeſaid.

Sir John Fryer. Has your lordſhip had as much time as you deſire? or does your Lordſhip deſire any more? I will wait on your Lordſhip as long as you pleaſe.

Lord Kenm. No, Sir.

Sir John Fryer. Your Lordſhip is at your liberty. Hath your Lordſhip any thing particular to ſay?

Lord Kenm. No I have not.

He told one of the divines he had prudential reaſons fo not ſaying any thing; the chief of which was ſuppoſed to be his friendſhip to the Earl of Carnwath, his brother-in law, who being under ſentence of death, and uſing means to obtain a reprieve, if he had ſpoken in the ſtrain the Lord Derwentwaer had done, it might have given ſome perſons an ill opinion of the Lord Carnwath's repentance.

Execut. My Lord, what I do is to ſerve the nation; do you forgive me?

Kord Kenm. I do; and with that gave the executioner eight guineas.

Execut. You have nothing againſt me.

Lord Kenm. No.

Then of his own accord he pulled off his coat and waiſtcoat, and one of his friends put on a white linnen cap. He had with him Mr. Room the undertaker, to take care of his body, and a ſurgeon who was to direct the executioner in doing his office, which he did by drawing his finger over that part of the neck were the blow was to be given. He

kiſſed

kiſſed the officers and gentlemen on the ſcaffold all round, and ſome of them twice or thrice.

Execut. My Lord, will you be pleaſed to try the block ?

Lord Kenm. Give me leave, and i'll give you no ſign; upon which his Lordſhip laid down his head upon the block, and ſpread forth his hands, and the executioner performed his office: then taken up his head, he ſaid, "Behold the head of a traitor!" After which his friends conveyed his body in a hearſe, provided for that purpoſe, to an undertaker's in Fleet-ſtreet. There was a letter to the Pretender, ſaid to be found in his pocket, wherein he recommends to him the care of his children, &c.

George Earl of Winton did not, as the other ſix lords, plead guilty to the articles of impeachment, but gave the following anſwer.

THE ſaid Earl, ſaving to himſelf all benefit of exception, to the uncertainties and inſufficiencies in the ſaid articles of impeachment contained as alſo all advantages and priviledges belonging to him as a Peer of Great Britain; for anſwer to the ſaid articles, ſays, that he cannot but eſteem it the greateſt addition to his afflictions, to fall under the diſpleaſure of the honourable Houſe of Commons; yet as his innocence, under theſe his misfortunes, is his ſupport, ſo he hopes it will be his ſecurity. He being taken with perſons, who were in arms againſt the government, might reaſonably be preſumed to be equally guilty, and to be juſtly joined with them in the ſame impeachment; but when it ſhall appear how much the circumſtances of his cauſe differs from others, he does not doubt but your lordſhips great juſtice will diſtinguiſh him in judgment; and that it will be as pleaſing to that honourable body, who are his accuſers, to have an innocent man acquitted, as one who

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is guity, condemned. He begs leave to take notice that he is deſcended from a very antient noble family, in whoſe blood the ſtreams of loyalty were always pure, never corrupted or polluted with treaſon or ſedition; and he never degenerated ſo much from his loyal anceſtors, as to form or carry on any deſign to ſubvert or alter the conſtitution of theſe kingdoms; but for the preſervation of it, was upon all occaſions ready to ſacrifice his fortune, and even his life. He was ſo cautious to avoid giving occaſion to be ſuſpected by the government, that about eight years ago, upon his return from his travels, he withdrew from all converſation, and confined himſelf to his houſe, never correſponded by letter with any perſon whatſoever; yet, to his great misfortune, could not be quiet or ſafe in his cloſeſt retirement, for many perſons, both officers and others, of the militia of the ſhire of Lothian, under the ſpecious pretence of ſerving the government, but in reality actuated by private pique and revenge, ſeveral times, contrary to law, forcibly entered by night into his dwelling-houſe, called Seaton Palace, rifled it, turned his ſervants out of doors, and carried away the proviſions of his family: the moſt ſacred places did not eſcape their fury and reſentment; they broke into his chappel, defaced the monuments of his anceſtors, took up the ſtones of their ſepulchres, thruſt irons through their bodies, and treated them in a moſt barbarous, inhuman, and unchriſtian-like manner. Cannon and mortars were brought to demoliſh his houſe, and ſeveral troops of dragoons having gotten poſſeſſion thereof, ſome of them kept guard there; and when they left it, many of the militia entered and kept poſſeſſion thereof, till they were driven from thence by the Highlanders, by whom he was likewiſe very ill treated, he being the only perſon that was plundered by them. By theſe, and many other ſeverities, the ſaid Earl was forced to leave his houſe, and ſeek

for ſhelter among his tenants and neighbours, where he was purſued from houſe to houſe, and at laſt very unfortunately driven into the company of ſome of the gentlemen named in the impeachment. He preſumes to affirm to your lordſhips, that he did not join them with a traitorous or rebellious deſign, but only with an intention to preſerve himſelf from being inſulted and aſſaſſinated; for he had been once before taken up without any warrant or authority; and having got from the perſons in whoſe cuſtody he was, they threatened, if they could retake him to murder him, and had before imbrued their hands in the blood of the ſon of a neighbouring gentleman. He never intended to have left his own country; and when ſome gentlemen mentioned coming into England, he oppoſed it: he was far from aſſiſting or encouraging them in their undertakings; he was not admitted into their ſecrets, nor informed of their deſigns; and was ſo much a ſtranger to their proceedings that when they marched towards Northumberland, he was told they were going along the ſkirts of the hills in Scotland to avoid General Carpenter; but afterwards diſcovered they were in England, when it was too late, and to return alone into Scotland was too hazardous, which he did not attempt, becauſe he had reaſon to believe they would ſoon go back to Scotland.

Although he was conſtrained to keep the other lords and gentlemen company, yet he never joined with them in any act of hoſtility, nor aſſiſted in taking any of the publick money, in ſeizing any guns or other warlike inſtrument, or countenanced or abetted them therein. He did not at Preſton, or elſewhere, fire a piſtol, offer violence to any perſon whatſoever, or in any other manner fight againſt, or reſiſt his Majeſty's forces, but with the reſt ſurrendered himſelf to General Wills. The honour of a Peer is more valuable than life itſelf, and therefore

fore he ought to be ſo much the more cautious that it be not ſtained with the leaſt imputation of guilt. The ſaid Earl knows his innocence, and hopes your lordſhips will excuſe him, if in juſtice to himſelf, and for the preſervation of his honour, he does not take upon him the guilt of crimes, the very thoughts of which were always ſtrangers to his breaſt; and therefore in anſwer to the impeachment, he ſays, that "he "is not guilty of the treaſon, and other crimes and miſ- "demeanors mentioned in the ſaid articles, or any "of them, in manner and form as is therein alledged;" and for his trial, puts himſelf on your lordſhips, who are his Peers, and begs your lordſhips to believe, that his anſwer proceeds from the ſenſe he has of the truth of it, and not from obſtinacy, or any inclination to give your lordſhips, and the honourable Houſe of Commons, any unneceſſary trouble, or from the leaſt doubt or miſtruſt of his Majeſty's clemency. But if upon his trial it ſhall appear that he hath committed any act, which, in the rigour of the law, may be conſtrued to amount to the crime of high treaſon, he hopes the innocence of his heart, and his ignorance in the law, will, by the power of your lordſhips interceſſion, render him an object of his Majeſty's mercy; which he, and the reſt, at the time of ſurrendering themſelves, were encouraged by his Majeſty's officers to depend upon. The ſaid Earl ſubmits his caſe, thus circumſtanced, to your lordſhips great wiſdom and judgment, and humbly prays your lordſhips favourable interpretation thereof, not doubting but to make his innocence appear to your lordſhips ſatisfaction.

On March the 15th, 1715-16, the ſaid Earl was brought on his trial, which laſted three days; and to omit the diſcourſes of the counſel, too long here to recite. I ſhall only mention what was proved againſt him, to the univerſal ſatisfaction of the Houſe of Lords.

That whereas in the September preceeding, the late Earl of Mar in Perthſhire, and in the beginning of October, Mr. Forſter, and ſome of the attainted Lords, in Northumberland, with a great number of armed men, raiſed a rebellion in favour of the Pretender, and proclaimed him king of theſe realms, and ſet up his ſtandard:

About the 7th or 8th day of October, the Earl of Winton left his ſeat at Seaton, in the county of Lothian, armed with a broad-ſword and piſtols, and carried with him fourteen or fifteen of his ſervants well mounted, and armed. About the 10th day of October joined the Earl of Carnwath, and the Lord Kenmure, at Moffet, in the county of Annandale, and there they formed a little army, which was commanded by Lord Kenmure, till they joined Forſter: that the Lord Winton formed a troop with his own ſervants and others, and that it was called his troop; and that he paid his own ſervants 18 d. or 2 s. a day, and that he commanded from that time a ſquadron of horſe, till he and the others ſurrendered to the King's forces at Preſton. That about the 14th or 15th day of October, the Earl of Winton, and the reſt of the rebels, marched from Moffet, in a hoſtile manner, with trumpets and a ſtandard, to Lockmaben; there the Pretender was proclaimed, and the Earl of Winton attended, and joined in the proclamation with his ſword drawn. That thence the rebels marched to Auchtelefchen, Langholm, Hawick, Jedburgh, Rodberry, and Wooler, where, about the 20th of October, Forſter, and his rebels being about 500, joined the Lord Winton and the other Scotch, being three troops of horſe. From Wooler they all marched to Kelſo in Tiviotdale; where the Highland Foot, commanded by Mackintoſh, joined them: there at the croſs the Pretender was again proclaimed, with ſound of trumpet, and colours flying, the Lord Winton aſſiſting.

On

On the 17th they marched back to Jedburgh, and there were alarmed with an account that the King's forces were near, on which they mounted and marched out of town, and drew up, the Earl of Winton being very active; but the forces advancing, being diſcovered to be part of the rebels, they returned to Jedburgh, and on the 29th of October they marched to Hawick.

Here cockades were made of blue and white ribbons for the Scotch rebels, to diſtinguiſh them from the Engliſh, who had red and white; and the Earl of Winton wore one, and diſtributed others to his men.

On the 30th, from Hawick they marched to Langholm, and on the 31ſt, about five or ſix hundred of the Highland footleft them, and went back; and they would not ſuffer any perſon to come to them, to perſuade them to return, but the Earl of Winton; and he went to perſuade them, but could not prevail: and when he returned, declared it was not his fault that they went away; and that he after this very much promoted the rebels coming into England: that here the Earl might ſafely have left the rebels, if he had thought fit, without hazard.

That from Langholm the rebels marched to Langtown in Cumberland; and on the 1ſt of November to Brampton, on the 2d to Penrith, on the third to Appleby, on the 5th to Kendal, on the 6th to Lonſdale: at all which places the Pretender was proclaimed king, the Earl of Winton aſſiſting. On the 7th they marched thence to Lancaſter, into which the rebels marched, with their ſwords drawn, particularly the Earl of Winton; that here again they proclaimed the Pretender King, the Lord Winton aſſiſting.

From Lancaſter the horſe of the rebels marched on the 9th day of November to Preſton, the foot halted at Garſtang, and came to Preſton the 10th.

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In the way to Preſton the rebels were joined by 1500 men, moſt part being of the county of Lancaſter; and at Preſton the Pretender was again proclaimed at the croſs: that during this March, at Duns, Brampton, and Appleby, the publick revenue of the King was collected by the rebels, and ceſſes raiſed on the King's ſubjects: that they marched with drums, trumpets, and colours, and took priſoners ſuch as were for his Majeſty, cauſed the Pretender to be prayed for as King, conſtantly drank his health, by the name of King James, wiſhing ſucceſs to their cauſe. That during the whole march, the Earl of Winton never ſhewed any uneaſineſs or backwardneſs, but always appeared as forward and active as any of the rebels; that the beſt quarters, next the Lord Kenmure's, were provided for him, who uſed to complain, if he did not like his quarters, to Mr. Calderwood the quarter maſter. That on Saturday the 12th of November, about one in the afternoon General Wills with the King's forces inveſted the town, and attacked it that day, and on Sunday; and the rebels defended it, and had made a barrier at the entering of the town, and planted the foot in ſeveral lanes and ſtreets for their defence, and had the cannon with them which they had ſeized at Lancaſter.

That the Earl of Winton, during the attack, was with the other lords at the head of 200 men, drawn up in the market-place, with his ſword and a piſtol in one hand, and another in his breaſt; and that during that attack many of his Majeſty's officers and ſoldiers were killed: that on Sunday about ten in the morning, General Carpenter came to Preſton with ſome regiments: and that thereupon the rebels, finding themſelves to be ſurrounded, about three in the afternoon ſent out Colonel Oxborough to the Generals, to know what terms ſhould be granted them if they would ſurrender; that the generals returned

this

this anſwer, that no terms would be granted to them; but that they muſt ſurrender at diſcretion. That ſoon after the rebels ſent out Captain Dalzeel, to deſire time till ſeven of the clock on Monday morning, to conſider whether they ſhould ſurrender at diſcretion. Upon which General Carpenter ſent Colonel Churchill, and General Wills Colonel Cotton, into the town, to acquaint them that the term they deſired ſhould be allowed them, provided they ſent out immediately an Engliſh Lord, and one of the Mackintoſh's as hoſtages; that none within the town ſhould attempt to eſcape, or make any works for their defence: that Colonel Churchill, and Colonel Cotton, told their meſſage to the Earl of Winton and the other Lords, and Mr. Forſter, and that they all promiſed to perform the ſaid conditions; but contrary to this agreement, about ſix perſons attempted to force their way through the King's troops with ſword in hand, and were cut to pieces. Upon which hoſtages were demanded, and the Earl of Derwentwater and Colonel Mackintoſh were delivered to them as hoſtages; and that on Monday morning about ſeven o'clock, Forſter ſent to let General Wills know they were ready to ſurrender at diſcretion: but Mackintoſh being by, ſaid he could not anſwer that the Scotch would ſurrender in that manner, for the Scotch were people of deſperate fortunes; and that he had been a ſoldier himſelf, and knew what it was to be a priſoner at diſcretion. Upon which General Wills ſaid to him, "Go back to your people again, and I will attack the town; and the conſequence will be, I will not ſpare one man of you." That Mackintoſh went back, and came running out immediately again, and ſaid that the Lord Kenmure, and the reſt of the noblemen, with his brother, would ſurrender in like manner with the Engliſh: ſo they did; and then the Lord Forreſter

took

took poſſeſſion of the town: that he found the Earl of Winton in arms, and he delivered to him two caſes of piſtols, and ſurrendered himſelf, and complained of the little regard Mr. Forſter had ſhewn to a man of his quality, which was only to give him the poſt of honour when there was any danger.

The Generals, Carpenter and Wills, declared they never offered any other terms than that the Rebels ſhould ſurrender at diſcretion; that they never promiſed them mercy; nor that they would even intercede for mercy for them, nor gave the Colonels, ſent into the town, any orders to offer mercy; and both Colonel Churchil aud Colonel Cotton confirmed the ſame, that they did not either directly or indirectly offer them any terms but to ſurrender at diſcretion.

Brigadier Munden depoſed, that when the rebels demanded an audience of General Wills, their firſt demand was for terms; that the anſwer was, That General Wills would not treat with rebels, but if they ſurrendered at diſcretion, they ſhould have their lives ſpared, till his Majeſty's pleaſure was known: that then they aſked, if thoſe were the only terms; and it was anſwered, yes; and that all the anſwer Mr. Wills gave, was, That if he had an inclination, he had no power to give them any, otherwiſe than ſaving their lives till his Majeſty's pleaſure was known; if they expected other terms, they might return into the town again, and he would attack them, and cut them to pieces. And that afterwards when the Lord Derwentwater and Mackintoſh were hoſtages, and the latter was giving an account of the bravery and hardineſs of their troops. General Wills told him, he might have proved and tried them, if he had pleaſed, and then it would have been ſeen whether the King's troops, or a parcel of rebels, would have acted the braver part: that General

neral Wills received them with the utmoſt deteſtation and contempt, and gave them no hope of mercy, either directly or indirectly. After this, the counſel for the Earl of Winton moved in arreſt of judgment: but it not being thought ſufficient, the lords unanimouſly found him guilty, and the Lord High Steward proceeded to give ſentence as follows;

The Lord High Steward's Speech.

GEORGE Earl of Winton, I have acquainted you, that your Peers have found you guilty that is, in the terms of the law, convicted you of the high treaſon whereof you ſtand impeached; after your lordſhip has moved in arreſt of judgment, and their lordſhips have diſſallowed that motion, their next ſtep is to proceed to judgment.

The melancholy part I am to bear, in pronouncing that judgment upon you, ſince it is his Majeſty's pleaſure to appoint me to that office, I dutifully ſubmit to it; far, very far, from taking any ſatisfaction in it.

Till conviction, your lordſhip has been ſpoke to without the leaſt prejudice, or ſuppoſition of your guilt; but now it muſt be taken for granted, that your lordſhip is guilty of the high treaſon whereof you ſtand impeached.

My lord, this your crime is the greateſt known to the law of this kingdom, or of any other country whatſoever, and it is of the blackeſt and moſt odious ſpecies of that crime; a conſpiracy and attempt, manifeſted by an open rebellion, to depoſe and murder that ſacred perſon, who ſuſtains, and is the Majeſty of the whole; and from whom, as from a fountain of warmth and glory, are diſperſed all the honours, all the dignity of the ſtate; indeed the laſting and operative life and vigour of the laws, which plain-

ly ſubſiſt by a due adminiſtration of the executive power.

So that attempting this precious life, is really ſtriking at the moſt noble part, the ſeat of life, and ſpring of all motion in this government; and may therefore properly be called a deſign to murder not only the King, but alſo the body politick of this kingdom.

And this is moſt evidently true in your lordſhip's caſe, conſidering that ſucceſs in your treaſon muſt infallibly have eſtabliſhed Popery, and that never fails to bring with it a civil as well as eccleſiaſtick tyranny: which is quite another ſort of conſtitution than that of this kingdom, and cannot take place till the preſent is annihilated.

This your crime (ſo I muſt call it) is the more aggravated, in that where it proceeds ſo far as to take arms openly, and to make an offenſive war againſt lawful authority, 'tis generally (as in your caſe) complicated with the horrid and crying ſin of murdering many, who are not only innocent, but meritorious: and if pity be due (as I admit it is in ſome degree) to ſuch as ſuffer for their own crimes; it muſt be admitted a much greater ſhare of compaſſion is owing to them, who have loſt their lives merely by the crimes of other men.

As many as have ſo done in the late rebellion, ſo many murders have they to anſwer for, who promoted it; and your lordſhip in examining your conſcience, will be under a great deluſion, if you look on thoſe who fall at Preſton, Dumblain, or elſewhere on the ſide of the law, and defence of ſettled order and government, as ſlain in lawful war, even judging of this matter by the law of nations.

Alas! My lord, your crime of high treaſon is made yet redder, by ſhedding a great deal of the beſt blood in the kingdom; I conclude in this expreſſion the brave common ſoldiers, as well as thoſe gallant and heroic

roic officers, who continued faithful to death, in defence of the laws: for ſure but little blood can be better than that, which is ſhed while it is warm, in the cauſe of the true religion, and the liberties of its native country.

I believe it, notwithſtanding the unfair arts and induſtry uſed, to ſtir up a pernicious exceſs of commiſſeration towards ſuch as have fallen by the ſword of juſtice, (few is compared with the numbers of good ſubjects, murdered from doors and windows at Preſton only) the life of one honeſt loyal ſubject is more precious in the eye of God, and all conſidering men, than the lives of many rebels and parricides.

This puts me in mind to obſerve to your lordſhip, that there is another malignity in your lordſhip's crime, (open rebellion) which conſiſts in this, that it is always ſure of doing hurt to a government, in one reſpect, though it be defeated; (I will not ſay, it does ſo on the whole matter.)

For if the offence is too notorious to be let paſs unobſerved, by any connivance; then his government reduced to this dilemma: if it be not puniſhed, the ſtate is endangered by ſuffering examples to appear, that it may be attached with impunity; if it be puniſhed, they who are publickly or privately favourers of the treaſon, (and perhaps ſome out of mere folly) raiſe undeſerved clamours of cruelty againſt thoſe in power; or the loweſt their malice flies, is to make unſeaſonable, unlimited, and unjudicious encomiums, upon mercy and forgiveneſs (things rightly uſed, certainly of the greateſt excellence.)

And this proceeding, it muſt be admitted, does harm, with ſilly and undiſtinguiſhing people. So that the rebels have the ſatisfaction of thinking they hurt the government a little, even by their fall.

The only, but true conſolation, every wiſe government has, in ſuch a caſe, (after it has tempered

juſtice with mercy, in ſuch proportion as ſound diſcretion directs, having always a care of the public ſafety above all things is this; but ſuch like ſeeds of unreaſonable diſcontents, take root on very ſhallow ſoil only; and that therefore, after they have made a weak ſhoot, they ſoon wither and come to nothing.

It is well your lordſhip has given an opportunity of doing the government right, on the ſubject of your ſurrender at Preſton.

How confidently had it been given out by the faction, that the ſurrender was made on aſſurances, at leaſt hopes, inſinuated of pardon. Whereas the truth appears to be, that fear was the only motive to it: the evil day was deferred; and the rebels rightly depended, fewer would die at laſt by the meaſures they elected, than if they had ſtood an aſſault. They were awed by the experienced courage, diſcipline, and ſteadineſs of the King's troops, and by the ſuperior genius and ſpirit of his Majeſty's commanders over thoſe of the rebels: ſo that in truth, they were never flattered with any other terms, than to ſurrender as rebels and traitors; their lives only to be ſpared till his Majeſty's pleaſure ſhould be known.

It was indeed a debt due to thoſe brave commanders and ſoldiers (to whom their King and country owe more than can be well expreſſed) that their victory ſhould be vindicated, to the preſent and future ages, from untrue detraction, and kept from being ſullied by the tongues of rebels and their accomplices, when their arms could no longer hinder it.

'Tis hard to leave this ſubject without ſhortly obſerving, that this engine which ſets the world on fire, a lying tongue, has been of prodigious uſe to the party of the rebels, not only ſince, and during the rebellion, but before, while it was forming, and the rebels preparing for it.

Falſe

Falſe facts, falſe hopes, and falſe characters, have been the greater half of the ſcheme they ſet out with, and yet ſeem to depend upon.

It has been rightly obſerved your lordſhip's anſwer does not ſo much as inſiſt, with any clearneſs, on that which only could excuſe your being taken in open rebellion; that is, you was forced into it, remained ſo under a force, and would have eſcaped from it, but could not.

If you had ſo inſiſted, it has been clearly proved that that had not been true; for your lordſhip was active and forward in many inſtances, and ſo conſiderable in military capacity among your fellow-ſoldiers, as to command a ſquadron. Theſe, and other particulars, have been obſerved by the managers of the Houſe of Commons, and therefore I ſhall not purſue them further, but conclude this introduction to the ſentence, by exhorting your lordſhip with perfect charity and much earneſtneſs, to conſider that now the time is come when the veil of partiality ſhould be taken from your eyes, (it muſt be ſo when you come to die) and that your lordſhip ſhould henceforward think with clearneſs and indifference (if poſſible) which muſt produce in you a hearty deteſtation of the high crime you have committed: and being a Proteſtant, be very likely to make you a ſincere penitent, for you have engaged in a deſign that muſt have deſtroyed the holy religion you profeſs, had it taken effect.

Nothing now remains, but what I pronounce upon you that ſentence which the law ordains, and which ſufficiently ſhews, what thoughts our anceſtors had of the crime of which your lordſhip is now convicted, viz, "That you George Earl of Winton, &c."

Account of the Trial and Behaviour of JAMES GOODMAN, *convicted of Horſe-ſtealing.*

AT the ſeſſions held at the Old Bailey on the 13th of January, 1715—16, *James Goodmrn* alias *Footman*, was indicted, together with one John Stephens, for ſtealing a bay gelding, value eight pounds, the property of William White, on the 17th of December preceeding.

Mr. White depoſed, that on the 9th of October he was met between Stratford, and Ilford, by three highwaymen on horſeback, one of whom he believed was the priſoner, who took from him his horſe, ſpurs, and one ſhilling in money. On the 17th of December following he met Goodman at Bow, on the horſe that had been ſtolen from him, and Stephens in company with him.

Hereupon Mr. White ſent his ſervant to demand his horſe; which being done, Stephens and Goodman clapped ſpurs to their horſes and rode away; but this deponent and his ſervant following them, Goodman attempted to fire a piſtol at Mr. White, but it flaſhed in the pan: the priſoners then quitted their horſes, and ran into a field; upon which Mr. White gave his ſervant a ſmall gun, and ordered him to purſue them.

This he did, and the priſoner fired at him twice, but miſſed him: one of the highwaymen now ſaid, "D—n it, we'll kill or be killed; we will not be "taken alive; let us turn upon them and fire; our "lives are as good as theirs." Hereupon Mr. White's ſervant diſcharged his gun, which was loaded with pebble ſtones, and hitting the priſoner on the hinder

der part of his head, he fell down, and was immediately ſecured.

Another perſon now coming by drew a hanger and purſued Stevens, who ſeeing himſelf in danger of being taken, preſented two piſtols, whereupon the other bid him fire, but told him that if he miſſed his aim he would cleave his ſkul: upon this, Stevens ſeeing that his companion was already ſecured, dropped his piſtols and ſurrendered himſelf. When the priſoners were taken they had about them two muſketoons, each loaded with two bullets, and a ſcrew piſtol loaded with three.

The priſoner in his defence ſaid, that the horſe was lent him, and called two perſons to prove it, one of whom, who kept an inn, ſwore, that in the month of November preceeding, four men came and put up their horſes in the ſtables; that the horſe claimed by the proſecutor was lame by a cut on the knee, that one Smith came and deſired that a farrier might be ſent for to cure him, and that the four perſons went away, leaving the horſe for that purpoſe: that the horſe being cured, Smith's brother came, paid the farrier, and an order to deliver the horſe to the priſoner. The farrier likewiſe confirmed this evidence as far as it related to him; but the court being of opinion that the evidence were accomplices with the priſoner, the jury found him guilty.

After conviction Goodman was put into the Baildock; but before the time of receiving ſentence, about ſeven o'clock in the evening, he, by the aſſiſtance of ſome of the other priſoners, got over the ſpikes, and though he had his fetters on, made his eſcape.

It happened that before Goodman was convicted he had given ſome money to a carrier, to convey into the country to a woman that he called his wife; but this perſon hearing of his conviction, converted the money to his own uſe. About a month after his eſcape, he was fooliſh enough to go to an ale-

houſe

houſe in Holborn, to meet an attorney, in order to give him directions to ſue the carrier; when ſome perſons in the publick houſe happening to know him, gave immediate notice to the keepers of Newgate, who went and apprehended him, but not without difficulty, as he made a reſolute and obſtinate reſiſtance. In conſequence hereof he was called down at the next ſeſſions, and received ſentence of death.

James Goodman ſaid he was thirty two years of age, born at Little Harwood in Bukinghamſhire, of honeſt parents, who gave him a virtuous education; that he was put apprentice to a carpenter in Ayleſbury, with whom he ſerved ſeven years; and, not long after his time was out, he, with two more young men, went out one day in a frolic to hunt a deer, ſaying, they ſhould have a veniſon paſty, and be merry; but one of them being admitted an evidence againſt him and the other, they were apprehended, and not being able to pay 30l. a piece, the uſual fine in ſuch caſes, they were both committed to Ayleſbury gaol for a year and a day; during which time he worked at his trade; and about two years after he came out, he married, and was in good buſineſs and reputation for about nine years; but at length falling into bad company, he neglected his lawful employment, became very looſe, and ſo brought his wife and children to ruin.

He acknowledged the commiſſions of the fact which coſt him his life, and ſaid that in ten months paſt he had committed many robberies, none of which were very conſiderable. He implored the forgiveneſs of God, and of all thoſe who had been injured through his means.

This malefactor was executed at Tyburn, on the 12th of March, 1715—16.

Account

Account of the behaviour of WILLIAM PAUL, *Clerk, who was executed for High Treaſon.*

THE unfortunate ſubject of the following narrative, who was the ſon of John Paul of Little Aſhby near Lutterworth in Leiceſterſhire, commenced batchelor of arts in St. John's College, Cambridge, in the year 1702, after which he was curate of Carlton Curlieu, near Harborough in his native country, and at the ſame time Chaplain to Sir Geoffry Palmer.

Leaving Carltan-Curlieu he went to Tamworth, in the country of Stafford, where he was curate and uſher of the free-ſchool. From hence he went to Nun-Eaton, in Warwickſhire, where he officiated as curate for the Reverend Mr. Foxcroft, till the Biſhop of Oxford preſented him to the vicarage of Orton on the Hill, in the country of Leiceſter. He was inſtituted in this vicarage by the Biſhop of Lincoln, on the 5th of May. 1709; when he took the oaths to Queen Anne, and abjured the Pretender, as is uſual in ſuch caſes.

When the rebels were at Preſton, Mr. Paul going down into that country to join them, was ſeized and carried before Colonel Noel, a juſtice of the peace, who diſcharging him, he proceeded to Preſton, where he read prayers to the rebels three days ſucceſſively, and prayed for the Pretender, by the name of King James: in the pariſh church: but juſt before the King's troops inveſted the town of Preſton, he left that place, and coming up to London, he diſguiſed himſelf by wearing coloured cloaths, a laced hat, a full bottomed wig, and a ſword.

Mr. Paul being accidentally met in this dreſs near Montague-Houſe, by Mr. Bird, a juſtice of the peace for the country of Leiceſter, who knew him well, he took him priſoner, and conveyed him to the Duke of Devonſhire's; after which he was carried before the Secratary of State, by whom he was examined, but making no confeſſion, he was firſt delivered to the cuſtody of a meſſenger, and at the end of about fourteen days was commited to Newgate.

On the 31ſt of May following he was arraigned at Weſtminſter, and pleading Not Guilty to his indictment, he was remanded back to Newgate, from whence he ſent the following letter to a gentleman of his acquaintance.

Good Sir,

IF time will permit, I deſire your company for one minute, upon the receipt of this; and you will for ever oblige yours,

W. PAUL.

Upon his friend's coming to Newgate, Mr. Paul ſaid, "What muſt I do? I am this day arraigned, "and pleaded Not Guilty: but that's little to the "purpoſe;" and then continued, with tears in his eyes "There is too much will be proved againſt "me." To which his friend replied, "If this be "true, and you are already condemned in your own "conſcience, to what purpoſe do you ſtand trial? "you have ſufficiently provoked the government al- "ready, and will exaſperate it more, by denying "that which by your own confeſſion will be proved "againſt you; but however do as you pleaſe, I will "perſuade you to nothing: but in my opinion, the "beſt way is to confeſs your faults, aſk pardon, and "throw yourſelf upon the King's mercy." Hereupon he ſaid, his counſel adviſed him the ſame, and he was fully reſolved to follow their advice, being unwilling

willing to be hanged, if he could poſſibly avoid it: and accordingly the two following petitions were drawn up, and being greatly approved by him, he reſolved to preſent them.

To the right honourable Sir Peter King, *Lord Chief Juſtice, &c. the humble petition of* William Paul, *Clerk*;

Sheweth,

THAT your petitioner, through the grace of God, having a deeper inſight into, and a more lively ſenſe of the crimes and offences by him committed, doth now at laſt deteſt and abhor (from the bottom of his ſoul) the late unnatural rebellion, begs pardon of God, King George, and his native country, againſt all which he has highly offended; ſincerely repents, declares his unfeigned and hearty ſorrow, in having been inſtrumental towards encouraging and promoting the ſame. He owns himſelf to be highly culpable in pleading Not guilty at his arraignment: prays leave to retract that plea; acknowledges the indictment preferred and found againſt him, to be juſt and true; implores and hopes your Lordſhip, from your innate goodneſs, and chriſtian charity, will be pleaſed to recommend him to his moſt Sacred Majeſty, as a ſincere penitent, and though unworthy, an object of Mercy; for which, as bound in duty, your petitioner ſhall for ever pray, &c.

To his moſt Sacred Majeſty, George *by the grace of God, King of* Great Britain France *and* Ireland, *&c. The humble Petition of* William Paul, *Clerk*,

Sheweth,

THAT your petitioner, now a priſoner in Newgate for the late unnatural rebellion againſt your

Majeſty, the church and nation; by all which he owns to have highly offended; and therefore in all ſubmiſſion proſtrates and vows all loyalty and obedience to your Majeſty's perſon and government for time to come; and that no ſeditious humour ſhall ſtir or move him from his duty; and therefore humbly hopes your Majeſty's piety and goodneſs will pardon paſt offences, and crimes by him committed, and accept his ſincere and hearty repentance. And from the true affection of his heart, (as in duty bound) ſhall be poured out daily and devout prayers to the God of heaven, for your majeſty's long life, happy reign, proſperous eſtate, and royal poſterity, in this world, and for ever and ever.

He wrote alſo ſeveral letters and petitions, ſome of which are as follow.

To the Archbiſhop of Canterbury.

May it pleaſe your Grace, July, 9.

AT my trial I thought I had a very good plea, but was adviſed by the lawyers, as the ſureſt way to obtain mercy, to plead Guilty; upon which I threw myſelf wholly upon the King's mercy. What confeſſion the court would have from me, I cannot tell; I am ſure your Grace would not have me, for the world, ſpeak more than I know. I declare before Almighty God, upon the word of a clergyman, I never brought any letter out of Preſton, or went to any one gentleman, or ſpoke the leaſt thing that tended that way, viz. to rebellion; but came into my own country as faſt as I could, and ſo to London, where I was ſeized, and ſent to Newgate. I humbly deſire your Grace once more to believe me, and to uſe your utmoſt endeavours to ſave a poor clergyman's life. If it will not be granted

ed to ſpend the remainder of it in England, I beg you'll be pleaſed to ſend me to the Plantations, or any where rather than to Tyburn. I humbly deſire your Grace to conſider a poor afflicted ſervant, and take him from this naſty priſon.

My Lord,
I am your Lordſhip's moſt humble,
and moſt obedient Servant.
WILLIAM PAUL.

My Lord, I never did, ſince I was in Newgate, pray for the Pretender by any name or title.

Another to the ſame.

My Lord,

I Beg pardon for troubling your grace; but perſuming upon your goodneſs, once again humbly deſire you to interceed with his Royal Highneſs for mercy. The dead warrant is come down for execution on Friday next. What ill ſteps I have made in my life paſt, I hope Almighty God will forgive me; but the things that are laid to my charge, viz. Preaching up rebellion, adviſing my pariſhioners to take up arms, and that I preached ſeveral ſeditious ſermons; all which are falſe upon the word of a clergyman; as I have a certificate to prove for ſix years, the time of my being at Orton, handed * by moſt of the pariſh. Another thing is objected againſt me, that I was concerned in ſeveral conſultations, but I am innocent and ignorant, I call God to witneſs, of any deſign that was formed in any part of the kingdom againſt the government; and if ever I knew of any meeting, but where I was unfortunately at Preſton, or conſultation, or ever aſked or adviſed any body to riſe in rebellion, let me ſuffer.

* We ſuppoſe he means *ſigned*.

I deſire

I deſire your Grace will endeavour to ſave me this time from that ignominious death the halter, and diſpoſe of me in what part your Lordſhip pleaſeth.

If nothing can be done, I humbly deſire your Lordſhip's bleſſing, and prayers for patience and courage in this ſevere time of trial. For God's ſake, my Lord, do what lies in your power to ſave the life of a poor afflicted clergyman; the remaining part of which, ſhall be ſpent in prayers for your Grace, and all that endeavoured to bring me out of theſe great troubles.

My Lord, I am your lordſhip's moſt humble and moſt obedient ſervant,

Newgate,
July 9,

W: PAUL.

The following Letter was written by Mr. Paul, *to my Lord* Townſhend, *the night before his Execution.*

My Lord,

MR. Patten was ſo kind to pay me a viſit in my affliction, and deſired me, if I knew any thing relating to the government, to declare it. My Lord, I ſolemnly declare, I call Almighty God to witneſs, I carried no letter from Preſton, though I told Mr. Patten ſo, which was only a feint, that I might go off; and if Mr. Patten will do me juſtice, he can tell your lordſhip how uneaſy I was, when I diſcovered my raſhneſs. My Lord, I depend ſolely upon your Lordſhip's goodneſs in this my miſerable condition. I wiſh, my Lord, I could have my life ſaved, that I might ſhew to the world how heartily I am ſorry for

for all my paſt errors, and no man ſhall demonſtrate it more than,

My Lord,
Your Lordſhip's moſt humble and
moſt obedient Servant,
W. PAUL.

My Lord, Mr. Patten ſaith it is an aggravation to my crime, that I prayed in expreſs terms, in Newgate, for the Pretender, by the name of King James; I declare I never did. I once more crave your Lordſhip's kind aſſiſtance to procure me my life.

A Letter from Mr. Paul *to his Kinſwoman.*

Newgate, July 8, 1716.

My dear, dear Nanny,

WHAT I all along feared is come upon me; and that habit, which after my commitment, I was in hopes would have been my protection from a public execution, has, I am apt to believe, rather haſten, than put it backward; ſince I am among the number of thoſe who are to ſuffer next Friday in the dead warant, and have little hopes of a reprieve, which is extremely afflicting to me. I muſt beg you to come to me at the receip of this, that we may concert meaſures together, if it be poſſible, for my preſervation; for I cannot think of dying the death of a dog, by the hands of a mercileſs executioner, with any manner of patience. Tranſportation, perpetual impriſonment, or any other condition of life, will be infinitely preferable to ſo barbarous and unſupportable a way of ending it; and means muſt be found for preventing, or I ſhall anticipate the ignominy of the halter, by laying violent hands on myſelf. Give Mr. C——r to underſtand, that he may promiſe any thing, that he ſhall think fit, in my name; and that his Royal Highneſs the Prince,

and

and his council, ſhall have no cauſe to repent of their mercy to me, if they ſhall be pleaſed to extend it to ſo miſerable an object as I am, who take ſhame to myſelf of being any way concerned in evil practices againſt the government, which I ſhall for the future, pay the utmoſt obedience to, without any manner of reſerve.

Let him do this, or any other thing that ſhall be judged conſiſtent with my eſcape from the hand of the common hangman, which I cannot think of without the utmoſt diſtraction and confuſion. Oh! that I had never ſeen that unfortunate town of Preſton; that I had never left my pariſhioners at Orton, for vain and empty chimeras! Oh! that I had never pleaded guilty, and had as little followed the perſuaſions of my counſel ſo to do, as I did the dictates of right treaſon, when I embarked in ſo unpromiſing an undertaking. Conjure him, I conjure you, inſtantly to let my Lord of L. know, that it will be a ſcandal to the gown, a reproach to the church, to hang a clergyman; and let there not be a courtier left untold, that I will come to any terms to ſave my life. I can ſay no more for the apprehenſions of approaching death, but that I am, dear Nanny,

Your moſt affectionate,

WILL. PAUL.

Another to a Clergyman.

Rev. Sir,

IT is as grievous to me, as to lie under the ſentence of death, to think myſelf ſuſpected by any of my brethren the clergy. What grounds have been given by me for any ſuch ungenerous calumnies, I know not: but by yours to your brother, wherein I ſeem to be charged with having given information above, concerning you and other neighbouring divines, which

I beg

I beg you to take from the words of a man, who has very little proſpect of life, I never had ſo much as in my intentions; you perhaps may think, that by reaſon of ſome diſcourſe held amongſt us, the laſt time you and I, with others of the ſame cloth, met, that I might think you as diſſatisfied with the preſent government as myſelf; and that thereupon I have ſought to make my court to men in power by ſuch diſcoveries. But reſt aſſured, and tell your neighbour Mr. M——the ſame, that whatever low ſteps the fear of going out of the world in ſo ignominious a manner, as at the gallows, may make me take, I ſhall never ſtoop to ſo baſe an action as that of turning informer, eſpecially where there is no room to do it, and where gentlemen are to be concerned, whoſe good character of me muſt be the only means of ſaving my life. Thus much in relation to the letter your brother ſhewed me. Now I am to clear myſelf of a fault, wherewith I am told I am charged in the country, and that is, pleading guilty: my counſel indeed adviſed me to do ſo, in hopes of mercy, and ſo did ſome great men in ſpiritual high places; which, however, I was determined not to do, had not I, when brought to my trial, perceived men in court that muſt have infallibly convicted me of being very active in my way, before and after our arrival at Preſton; which, if I had given the witneſſes the trouble of proving, I could have had no chance for my life: among theſe, Mr.——whom you know very well, and who cauſed me to be taken up; and ſome others, prejudiced enough againſt me on divers accounts. I could have wiſhed, indeed, that my inexperience in the affairs I left the country upon, might have with held me from joining in ſo raſh an undertaking as the late riſing; but ſince what is paſt cannot be recalled, I muſt beg you, with the reſt of the clergy, to join in a teſtimonial concerning my behaviour, which I have cauſed to be

ſent down into the country, in order to back a petition that is to be preſented to the King and council, for ſparing my life; which, if it cannot be obtained, ſhall, during its continuance, with my lateſt breath, be employed in praying for you and them.

I am, Reverend Sir.
Your moſt afflicted brother,
and faithful Servant,
WILL. PAUL.

Newgate.
June 14, 1716.

A Letter to another Clergyman.

Reverend Sir,

JUST before the receipt of yours, I have received orders to prepare for death, on Friday next, and muſt be very preſſing with you to ſpare no time in communicating what I told you of to her Grace the Dutcheſs. I am very unwilling to take ſuch low ſteps, but the preſervation of life is ſweet, and the thoughts of dying by the common hangman are very bitter. I had hopes of the interceſſion of ſeveral other great perſonages, but was deceived in thoſe expectations through the falſe deluſion of pretended friends: and now finding nothing left for me to do, but to agree to what conditions ſhall be impoſed on me, no man ſhall be a more hearty well-wiſher to King George's intereſt, and a greater enemy to the Pretender's, than myſelf, provided my life can be ſpared; which it is very grievous for me to think of parting with at theſe years, and after the manner it is intended for me to loſe it. I ſaid at my trial I had never taken the oaths to King George, but am ready to do it, or almoſt any thing elſe,

on

on the terms abovementioned; therefore, for God's ſake, acquit yourſelf with diſpatch, in favour of,

Reverend Sir,

Your moſt afflicted

Newgate, and faithful Servant,

July 9, 1716. WILL PAUL.

After ſentence was paſſed, Mr. Paul was viſited by a Nonjuring Clergyman, who did all in his power to ſupport his ſpirits, by repreſenting the juſtice of the cauſe in which he was to ſuffer; but he ſeemed extremely uneaſy under the apprehenſion of approaching death, till within a very few days of his execution; when he was more ſteady and compoſed.

He was carried to the place of execution in a ſledge, dreſſed in his canonical habit, on the 13th of July, 1713, and there made the following ſpeech.

Good People,

I AM juſt going to make my appearance in the other world, where I muſt give an account of all the actions of my paſt life; and though I have endeavoured to make my peace with God, by ſincerely repenting of all my ſins, yet foraſmuch as ſeveral of them were of a public nature, I take it to be my duty to declare here, in the face of the world, my hearty abhorrence and deteſtation of them.

And firſt, I aſk pardon of God and the King, for having violated my loyalty, by taking moſt abominable oaths, in defence of uſurpation, againſt my lawful ſovereign King James the Third.

And as I aſk pardon of all who I have injured or offended, ſo I do eſpecially deſire forgiveneſs of all thoſe whom I have ſcandalized by pleading guilty. I am ſenſible it is a baſe and diſhonourable action, that it is inconſiſtent with my duty to the king, and an entire ſurrender of my loyalty. Human frail-

ty, and too great a desire of life, together with the persuasion of several, who pretended to be my friends, were the occasion of it. I trust God of his infinite mercy has forgiven me, and I hope all good Christians will.

You see, my countrymen, by my habit, that I die a son, though a very unworthy one of the Church of England; but I would not have you think I am a member of the Schismatical Church, whose bishops set themselves up in opposition to those orthodox fathers, who were unlawfully and invalidly deprived by the Prince of Orange. I declare that I renounce that communion, and that I die a dutiful and faithful member of the Nonjuring Church, which has kept itself free from rebellion and schism, and has preserved and maintained true orthodox principles both as to church and state: and I desire the clergy and all members of the Revolution Church, to consider what bottom they stand upon, when their succession is grounded upon an unlawful and invalid deprivation of Catholic Bishops, the only foundation of which deprivation is a pretended act of parliament.

Having asked forgiveness for myself, I come now to forgive others. I pardon those who, under a notion of friendship, persuaded me to plead guilty. I heartily forgive all my most inveterate enemies, especially the Elector of Hanover, my Lord Townsend, and others, who have been instrumental in promoting my death. Father, forgive them! Lord Jesus have mercy upon them! and lay not this sin to their charge.

The next thing I have to do, Christian friends, is, to exhort you all to return to your duty. Remember that King James the Third is your only rightful sovereign, by the laws of the land, and the constitution of the kingdom; and therefore, if you would

would perform the duty of juſtice to him which is due to all mankind, you are obliged, in conſcience, to do all you can to reſtore him to his crown: for it is his right; and no man in the world, beſides himſelf, can claim a title to it. And as it is your duty to ſerve him, ſo it is your intereſt; for till he is reſtored, the nation can never be happy. You ſee what miſeries and calamities have befallen this nation by the revolution; and I believe you are now convinced, by woeful experience, that ſwerving from God's laws, and thereby putting yourſelves out of his protection, is not the way to ſecure you from thoſe evils and misfortunes you are afraid of in this world. Before the revolution, you thought your religion, liberties, and properties in danger; and I pray you to conſider, how you have preſerved them by rebelling: are they not ten times more precarious than ever? who can ſay he is certain of his life or eſtate, when he conſiders the proceedings of the preſent adminiſtration? and as for your religion, is it not evident that the revolution, inſtead of keeping out Popery, has let in Atheiſm? do not hereſies abound every day, and are not the teachers of falſe doctrine patroniſed by the great men in the government? this ſhews the kindneſs and affection they have for the church; and to give you another inſtance of the reſpect and reverence they have for it, you are now going to ſee a prieſt of the Church of England murdered for doing his duty; for it is not me they ſtrike at ſo particularly, but it is through me they would wound the prieſthood, bring a diſgrace upon the gown, and a ſcandal upon my ſacred function. But they would do well to remember, that he who deſpiſes Chriſt's prieſts, deſpiſes Chriſt; and he who deſpiſes him, deſpiſes him that ſent him.

And now beloved, if you have any regard to your country, which lies bleeding under theſe dreadful extremities,

extremities, bring the King to his undoubted right; that is the only way to be freed from theſe misfortunes, and to ſecure all thoſe rights and privileges which are in danger at preſent. King James has promiſed to protect and defend the Church of England, he has given his royal word to conſent to ſuch laws which you yourſelves ſhall think neceſſary to be made for its preſervation. And his Majeſty is a prince of that juſtice, virtue, and honour, that you have no reaſon to doubt of the performance of his royal promiſe. He ſtudies nothing ſo much as to make you all eaſy and happy, and whenever he comes to his kingdom, I doubt not but you will be ſo.

I ſhall be heartily glad, good people, if what I have ſaid has any effect upon you, ſo as to be inſtrumental in making you perform your duty. It is out of my power now to do any thing more to ſerve the King, than by employing ſome of the few minutes I have to live in this world, in praying Almighty God to ſhower down his bleſſings ſpiritual, and temporal, upon his head, to protect and reſtore him, to be favourable to his undertaking, to proſper him here, and to reward him hereafter. I beſeech the ſame infinite goodneſs to protect and defend the Church of England, and to reſtore it to all its juſt rights and privileges; and laſtly, I pray God to have mercy upon me, pardon my ſins, and receive my ſoul into his everlaſting kingdom, that with the Patriarchs, Prophets, Apoſtles, and Martyrs, I may praiſe and magnify him for ever and ever. Amen.

As to my body, brethen, I have taken no care of it, for I value not that barbarous part of my ſentence, of being cut down and quartered. When I am once gone, I ſhall be out of the reach of my enemies; and I wiſh I had quarters enough to ſend to every pariſh in the kingdom, to teſtify that a clergyman of the Church of England was martyred for being loyal to his King.

July 13, 1716. WILLIAM PAUL.

Account of the Trial and Behaviour of JOHN HALL, *Eſq. executed for High Treaſon.*

ON the 16th of May, 1716, *John Hall*, Eſq. was brought to his trial at the Court of Exchequer in Weſtminſter, being charged with high treaſon, in joining, aiding, and abetting the rebels.

In the courſe of the evidence it appeared that he joined the rebels ſoon after their meeting at Plainfield, and that he marched with them to Preſton, where he was made priſoner.

One Mr. Patten depoſed, that he ſaw him on horſeback among the rebels near a place called Wooller, and another evidence ſwore poſitively to the ſeeing him at Rodberry, with ſeveral others of the rebels,

In his defence the proſecutor pleaded, that being a juſtice of the peace, he had been to the ſeſſions at Alnwick, where he heard of the meeting at Plainfield; that from Alnwick he rode to the houſe of a friend, where he ſtaid all night, and as he was going home the next day, the weather being very tempeſtuous, he ſtooped on his horſes neck, with his head to the wind; that while he was in this ſituation the rebels ſuddenly ſurrounded him and his ſervant, and took them away by force; and that at this time he had no arms, nor more than ſeven ſhillings and ſix-pence in money.

Mr. Hall's man ſwore to the truth of the above particulars, and likewiſe that his maſter never was at Rodberry, at the time mentioned by the evidence againſt him: but being croſs-examined by the council for the crown, he was rather averſe to the anſwering

ſwering ſuch queſtions as were put to him: nor did it appear by his evidence that the horſes were confined, but that he looked after them as uſual, and that Mr. Hall rode out when he pleaſed; and Mr. Patten being again called, ſaid that he never ſaw any reſtraint laid on Mr. Hall, but that he was as much at liberty as himſelf.

The priſoner called witneſſes to prove that he had expreſſed a diſſatisfaction at being compelled to join with the rebels, and declared that he had no diſaffection to the government; and herein conſiſted his defence.

In the charge that the court gave to the jury it was obſerved, that if a man was ſeen with rebels, even if he had been forced into their company, yet if it appeared that he had frequent opportunities of eſcaping, and did not do it, but continued by his preſence to abet and comfort them, it was treaſon within the meaning of the law; that if the plea of being forced among them was allowed, it would be almoſt impoſſible to prove any one guilty, ſince every man might plead the ſame thing.

The jury hereupon found the priſoner guilty; and on his being afterwards brought to the bar, and aſked what he had to ſay why judgment ſhould not be paſſed upon him according to law, he deſired that ſome time might be allowed him, ſaying, that he was tried by a new law which he did not underſtand, and in a ſtrange place where he knew nobody; but that if he had time he could produce many witneſſes, who would give him a good character, and prove that he was not diſaffected to the government: but the court telling him that it was now too late, and that his requeſt could not be granted, he replied "God's will be done," and immediately received ſentence of death.

While

While Mr. Hall was under condemnation he was attended by a Nonjuring clergyman, and behaved himſelf with the utmoſt ſubmiſſion to the diſpenſations of Providence. Though he ſpent moſt of the ready money he was poſſeſſed of in obtaining reprieves, yet it does not appear that he had any great expectations of a pardon, by his having written the following paper ſome weeks before he ſuffered: It is ſaid that his having provieded this ſpeech came to the knowledge of the people in power; for when a certain nobleman was making intereſt for his pardon, he was anſwered, "By no means, my good Lord; 'twere a pity Mr. "Hall ſhould loſe the opportunity of leaving ſuch "a ſpeech behind him, as he gives out will raiſe the "ſpirits of the whole nation. to be of the ſame "mind with him, and will be inſtrumental in "bringing in the perſon whom he calls his lawful "ſovereign, King James the Third."

On the day of execution Mr. Hall was carried in a ſledge to Tyburn (in company with Mr. Paul the clergyman) and was attended by a divine of his own communion, who having prayed with him a conſiderable time, left him to his private devotions: and a little while before he was turned off, he delivered the following paper to the ſheriff.

Friends, Brethren, and Countrymen,

I Am come here to die, for the ſake of God, my King, and my country; and I heartily rejoice that I am counted worthy of ſo great an honour: for let not any of you think that I am come to a ſhameful and ignominious end: the truth and juſtice of the cauſe for which I ſuffer, makes my death a duty, a virtue, and an honour. Remember that I lay down my life for aſſerting the right of my only lawful Sovereign King James the Third, that I offer myſelf

a victim for the liberties and happineſs of my dear country, and my beloved fellow-ſubjects; that I fall a ſacriſice to tyranny, oppreſſion, and uſurpation. In ſhort, conſider that I ſuffer in the defence of the command of God, and the laws, and hereditary conſtitution of the land; and then know, and be aſſured, that I am not a traitor, but a martyr.

I declare that I die a true and ſincere member of the Church of England, but none of the Revolution Schiſmatical Church, whoſe biſhops have ſo rebelliouſly abandoned the King, and ſo ſhamefully given up the rights of the church, by ſubmitting to the unlawful invalid lay-deprivations of the Prince of Orange. The communion I die in, is that of the true Catholic Nonjuring Church of England, and I pray God to proſper and increaſe it, and to grant, (if it be his good pleaſure) that it may riſe again, and flouriſh.

I heartily beg pardon of all whom I have in any manner, and at any time injured and offended. I do particularly implore forgiveneſs of God and my King, for having ſo far ſwerved from my duty, as to comply with the uſurpation, in ſwearing allegiance to it, and acting in publick poſts by the uſurper's commiſſions, which were void of all power and authority. God knows my heart, I did this at firſt through ignorance and error, but after I had recollected myſelf, and informed my judgment better, I repented, and drew my ſword for the King, and now ſubmit myſelf to this violent death for his ſake. I heartily pray God my patience and my ſufferings may atone for my former crime; and this I beg through the merits mediation, and ſufferings of my deareſt Saviour Jeſus Chriſt.

I do ſincerely forgive all my enemies eſpecially thoſe who have either cauſed or increaſed the deſtruction in church or ſtate; I pray God have mercy upon them, and ſpare them, becauſe they are the works of his

his own hands, and becauſe they are redeemed with his ſon's moſt precious blood. I do, particularly, forgive from the bottom of my heart, the Elector of Brunſwick, who murders me; my unjuſt pretended judges and jury, who convicted and condemned me; Mr. Patten and Mr. Carnaby. evidences who ſwore againſt me at my trial. And I do here declare upon the words of a dying man (and all my Northumberland fellow priſoners can teſtify the ſame) that the evidence they gave was ſo far from being the truth, the whole truth, and nothing but the truth, that in relation to my indictment, they ſwore not one true thing againſt me, but many abſolute falſhoods. I pray God forgive them, for I am ſure I do.

Laſtly, I forgive all who had a hand in the ſurrender at Preſton, for they have ſurrendered away my life; and I would to God that were the only bad conſequence of it. But alas! it is too plain that the ſurrenders not only ruined many of his Majeſty's brave and faithful ſubjects, but gave up their King and country into the bargin: for it was then in their power to have reſtored the King with triumph to his throne, and thereby to have made us a happy people. We had repulſed our enemies at every attach, and where ready, willing, and able to have attacked them.

On our ſide, even our common men were brave courageous, and reſolute; on the other hand, theirs were directly the contrary, inſomuch, that after they had run away from our firſt fire, they could never be brought ſo much as to endeavour to ſtand a ſecond. this I think myſelf obliged in juſtice to mention, that Mr. Wills may not impoſe upon the world, as if he and his troops had conquered us, and gained the victory; for the truth is, after we had conquered them, our ſuperiors thought fit to capitulate and ruin us; I wiſh them God's and the King's pardon for it.

May it pleaſe God to bleſs, preſerve, and reſtore your only rightful and lawful ſovereign King James the Third; may he direct his counſels, and proſper his arms; may he bring him to his kingdom, and ſet the crown upon his head.

May he protect him from the malice of his enemies, and defend him from thoſe, who for a reward ſhould ſlay him innocent! may he grant him in health and wealth long to live; may he ſtrengthen him that he may vanquiſh and overcome all his enemies; and finally, when it pleaſes his infinite wiſdom to take him out of this world, may he take him to himſelf, and reward him with an everlaſting crown of glory in the next.

Theſe my beloved countrymen, are the ſincere prayers, theſe the laſt words of me who am now a dying perſon; and if you have any regard to the laſt breath of one who is juſt going out of the world, let me beg of you to be dutiful, obedient, and loyal, to your only ſovereign liege lord King James the Third; be ever ready to ſerve him, and be ſure you never fail to uſe all your endeavours to reſtore him; and whatever the conſequence be, remember that you have a good cauſe, and a gracious God, and expect a recompence from him.

To that God, the God of truth and holineſs, the reward of all who ſuffer for righteouſneſs ſake, I commend my ſoul, beſeeching him to have mercy upon it, for the ſake of my dear Redeemer, and merciful Saviour, Jeſus Chriſt our Lord. Amen, Amen, Amen.

July 13, 1716. JOHN HALL.

Poſtſcript.

I might reaſonably have expected my life would have been ſaved, ſince I had obtained five reprieves; but I find that the Duke of Hanover, and his evil counſellors

counſellors who guide him, have ſo little virtue and honour themſelves, that they are reſolved not to ſpare my life, becauſe I would not purchaſe it upon baſe and diſhonourable terms. I have reaſon to think, that at firſt I could have ſecured my life and fortune, if I would have pleaded guilty; and I doubt not but I might ſince have obtained favour, if I would have petitioned in a vile ſcandalous manner: but I was reſolved to do nothing whereby I ſhould have diſowned my King, and denied my principles; and I thank my good God, both for inſpiring me with this holy reſolution, and for giving me the grace to perform it.

July 13, 1716. JOHN HALL.

He was executed at Tyburn on the 18th of July, 1716.

Account of the Trial and Behaviour of JAMES SHEPPARD, *executed for High Treaſon.*

AS the caſe of this boy made a great noiſe in the world, and as there is ſomething very extraordinary in the whole of his behaviour, we ſhall be very particular in our account of the affair.

At the ſeſſions held at the Old Bailey, on the 6th of March 1717, James Sheppard was indicted for high treaſon, in imagining and compaſſing the death of his moſt ſacred Majeſty King George the Firſt.

The council for the crown having opened the cauſe, acquainted the court with the reaſons for proſecuting the priſoner, and then proceeded to call their

their evidences, the firſt of whom was Martha Wale, ſervant to Mr. Leak, who depoſed, that on Friday the 24th of January, the priſoner came to her maſter's houſe, and enquired if he was at home, and upon her telling him that he was not, he gave her a letter, which ſhe delivered to her maſter's daughter, who ſeeing that it was directed to the Reverend Mr. Heath, ſaid that it was not for her father: that on her maſter's coming home the letter was delivered to him, and he alſo obſerving the direction, ſaid it was not for him; but this deponent ſaying that the priſoner gave it to her to deliver to him, he opened it and read it to himſelf, after which he told her young miſtreſs and her, that it was a villainous letter, read it to them, and ſaying it was not fit to be kept, threw it into the fire, and went up ſtairs into his ſtudy; that after ſome time he came down ſtairs, and ſaid he would go and acquaint Sir John Fryer with it, which the accordingly did. This deponent likewiſe added, that on hearing the letter read at Lord Sunderland's office which the priſoner had wrote when before Sir John Fryer, ſhe did believe that it was a copy of what Mr. Leak had read to her and her young miſtreſs had burnt.

The daughter of Mr. Leak confirmed the above evidence and being aſked if ſhe remembered the contents of the letter which her father had read and burnt, ſhe replied, that the ſubſtance of it reſpected the deſtroying of the king, and ſhe believed it was nearly the ſame as the priſoner afterwards wrote in the preſence of Sir John Fryer.

Mr. Leak depoſed, that having been abroad on the evening of the 24th of January, when he came home his maid gave him a letter directed for the Reverend Mr. Heath; that upon reading the ſuperſcription he doubted whether it was for him; but upon the maid's ſaying that it was left for him, and

and upon recollecting that there was no ſuch perſon as Mr. Heath a clergyman in that neighbourhood, he opened the letter, having read the contents to himſelf, he told his daughter and maid that it was a wicked and villainous letter, and reading it to them he threw it into the fire and burnt it, in abhorrence of the atrocious deſign.

Having done this, he went up into his ſtudy, and reflecting on the matter, he ſuſpected that ſome malicious perſon had ſent it with a view to have his houſe afterwards ſearched, and finding it there, to fix the odium upon him: whereupon he came to the reſolution of acquainting Sir John Fryer with the affair, which he did the next morning, when Sir John told him he ought to have ſeized the perſon who brought the letter; to which he replied that he remembered the perſon had promiſed to call again on the Monday following, and Sir John ordered him, if he came, to get a conſtable and ſecure him.

On the Monday following the priſoner came, and Mr. Leak aſked him if his name was James Sheppard, and if he left a letter for him on the Friday before; to which he replied, yes; whereupon Mr. Leak ſent for a conſtable, and took him before Sir John Fryer, when he owned the bringing the letter, and wrote a copy, which did very much agree with the letter which Mr. Leak had burnt.

Sir John Fryer depoſed, that Mr. Leak came to him, on the Saturday morning, and in a kind of agony told him the contents of the letter he had received: that he gave him directions to ſecure the perſon if he come again on Monday: and that accordingly, being with ſome gentlemen on Monday, at the Fountain tavern in Stock's Market, his ſervant came to him and told him, that Mr. Leak, a conſtable, and the priſoner wanted to ſpeak with him. That he ordered his man to get a room below ſtairs,

and

and deſiring Mr. Nichols and Mr. Langly, who were in his company, to go in with him, he examined the priſoner, aſked him if his name was James Sheppard, and if he had delivered a letter to Mr. Leak's maid on the Friday night before, directed for the Reverend Mr. Heath? to which he replied, his name was James Sheppard, and he had delivered ſuch a letter; that then he aſked the priſoner if he had a copy of that letter; to which he anſwered, he had no copy of it about him; but that if he had pen, ink and paper, he could ſoon write a copy of it, having it in his memory.

That he then ordered pen, ink and paper to be brought, and the priſoner ſat down in the room, and having written the letter, brought it to him; but had not put his name to it. That then he bid him put his name to it; which he did with a great deal of readineſs, and afterwards read it with much preſence of mind and calmneſs of temper, telling him he did believe that to be a true copy of the letter he had left at Mr. Leak's houſe the Friday before, and that, if it differed at all, it was but in ſome very few words.

This being produced in court, was read, and is as follows:

Sir,

FROM the many diſcontents viſible throughout this kingdom, I infer, that if the Prince now reigning could be by death removed, our king being here he might be ſettled on his throne, without much loſs of blood. For the more ready effecting of this, I propoſe that if any gentleman will pay for my paſſage into Italy, and if our friend will intruſt one ſo young with letters of invitation to his Majeſty, I will, on his arrival, ſmite the Uſurper in his palace. In this confuſion, if ſufficient forces may be raiſed,

raiſed, his Majeſty may appear; if not, he may retreat or conceal himſelf till a fitter opportunity Neither is it preſumptuous to hope that this may ſucceed, if we conſider how eaſy it is to cut the thread of human life; how great confuſion the death of a prince occaſions in the moſt peaceful nation, and how mutinous the people are, how deſirous of a change. But we will ſuppoſe the worſt, that I am ſeized and by torture examined. Now that this may endanger none but myſelf, it will be neceſſary that the gentleman who defrays my charges to Italy, leave England before my departure; that I be ignorant of his Majeſty's abode; that I lodge with ſome Whig; that you abſcond, and that this be communicated to none. But be the event as it will, I can expect nothing leſs than a moſt cruel death; which that I may the better ſupport, it will be requiſite that from my arrival till the attempt, I every day receive the Holy Sacrament from one who ſhall be ignorant of the deſign.

JAMES SHEPPARD.

Sir John Fryer added, that he having read the letter, aſked him if that was a true copy of the letter left by him for Mr. Leak; to which he anſwered again, it was, to the beſt of his memory. That thereupon he ſent for ſome officers from the Compter, and committed him there, and afterwards went with Mr. Leak, his daughter, the maid, Mr. Nichols and Mr. Langley to the Lord Sunderland's Office, where the copy of the letter which he had ſo written was produced and read to him, which he owned with the greateſt unconcernedneſs imaginable.

Mr. Nichols confirmed what Sir John Fryer had depoſed, as to the writing the copy of the letter, and his being examined before Sir John Fryer; adding, that Sir John aſking him his name, place of

abode, age, &c. and whether he carried the letter, of which that he had written was a copy, to Mr. Leak; he replied his name was James Sheppard; that he lived with a Coach-Painter in Devonſhire-ſtreet; that he was eighteen years of age; that though the letter was ſubſcribed for Mr. Heath, it was deſigned for Mr. Leak. That the priſoner being aſked whom he meant by the King; he anſwered, the ſame perſon whom you call the Pretender. And alſo whom he meant by the Uſurper; he replied, the ſame perſon whom you call King George; and that the priſoner all the while was as much compoſed in his mind as ever he had ſeen any perſon in his life: And that after Sir John had examined the priſoner, and ſent him to the Compter, Sir John deſired him (this deponent) to go to his maſter, and ſee what books or papers he had; which he did, and the priſoner's maſter ſaid, that his other ſervant was not within, and he did not know what belonged to the one, and what to the other; and thereupon order was given to his maſter that nothing of the priſoner's ſhould be removed till farther orders.

Mr. Langley likewiſe confirmed what Sir John Fryer and Mr. Nichols had depoſed; adding, that upon this expreſſion in the writings, "But we will "ſuppoſe the worſt, that I am by torture examined," being aſked whether he had ſo well weighed the matter as to undergo ſuch torture for the ſake of the Pretender; he replied, he had well weighed the matter, and could undergo it. And that he afterwards was preſent with the priſoner at the Secretary's Office, where he was examined by Mr. De la Fay, and anſwered to what was aſked him with a great deal of unconcern and reſolution. That Mr. De la Fay bid him read over the copy of the letter he had written before Sir John Fryer, and bid him conſider it well, if it were right, that no falſe conſtruction might be put upon any of his words; that he did read it

to

to himſelf, and afterwards aloud, and did own it was his writing, and it was a true copy, as near as could be, of what he had written in the letter delivered to Mr. Leak's ſervant.

Mr. Waſe, Mr. Nightingale and Mr. Randal depoſed, that they being ſent to the priſoner's maſter's houſe, were ſhewn the priſoner's trunk, where, among ſome papers, was found one which was produced in court and read, and did appear to have been a draught of the letter that the priſoner had delivered to Mr. Leak's maid, and differed very little in words from the copy that he had written before Sir John Fryer, ſaving that at the latter end there were theſe expreſſions: "How meritorious an "act will it be to free theſe nations from an uſur-"pation that they have lain under this nine and "twenty years." And that he thought it might be requiſite that while his Majeſty (meaning the Pretender) ſhould be abſent from Avignon, "ſome per-"ſon ſhould be found reſembling him, that ſhould "perſonate him there, leſt the rumour of his depar-"ture from Avignon ſhould awaken this inquiſitive and "ſuſpicious court."

Mr. De la Fay depoſed, that when the priſoner was brought to the Lord Sunderland's Office, he did there acknowledge that the copy written before Sir John Fryer, and alſo the paper found in his trunk, and upon his trial produced and read in court, were his own hand writing; and that being bid to read them and conſider them well, that before he owned them he might be ſure there was nothing in them but what he choſe to own, the priſoner did ſo, and owned every thing in them: and that during the whole time he was there he perceived no diſcompoſure in his countenance, that he ſeemed under no diſturbance of mind, and anſwered to every thing pertinently that was aſked of him.

All which was confirmed by Mr. Burroughs and Mr. Woodward; and Mr. De la Fay ſaid likewiſe that (being examined) he acknowledged to this effect. That he was the ſon of Thomas and Mary Sheppard, of the pariſh of St. Mary Overy's in Southwark, by trade a glover; that his father dying when he was about five years of age, he was removed to Abbot Langly in Hertfordſhire, went to ſchool to one Mr. How, was afterwards removed thence and put to ſchool by Dr. Hinchman his uncle by the mother's ſide, at Mitcham, in Surry, and afterwards ſent down to Saliſbury, where he went to ſchool to Mr. Hales, continuing about three years, and was afterwards put apprentice to Mr. Scott by his uncle Dr. Hinchman: that while he was at Saliſbury he had imbibed the principles he then acted upon, by converſation with his fellow-ſcholars, who in the time of the rebellion in the North, wiſhed that the Pretender might have ſucceſs: and that he was confirmed in his opinion by reading ſome pamphlets he ſaw lying on ſome bookſellers ſtalls there, and particularly by one intituled, "A Vindication of the Biſhop of "Exeter;" and eſpecially from the improvement of the words of St. Paul, "That perſons ought to "be obedient to the powers that were ſet over them, "although they were tyrannical." He owned that he did carry a letter and deliver it to Mr. Leak's maid, of which the copy he wrote before Sir John Fryer and produced in court was a true copy as near as could be; and that the papers found in his trunk were of his own hand-writing. That he never had any acquaintance with Mr. Leak, nor knowledge of him any other way than that he was a Nonjuror; that tho' he had ſubſcribed it for the Reverend Mr. Heath, it was only by miſtaking his name, and that he did intend it for him. That he had three years ago reſolved upon the deſign to aſſaſſinate the King,

and

and did determine to put it in execution when opportunity offered.

This he owned and ſigned with his own hand, it having been read diſtinctly to him, and read over by himſelf; confeſſing it was all true, except the word king (meaning King George) to which he objected, ſaying, he had never owned nor called him King in his life.

This examination was produced and read in court, ſigned by the priſoner, and atteſted by ſeveral perſons. There was alſo another examination taken at the Lord Sunderland's Office by Mr. De la Fay at another time; wherein the priſoner confeſſed as before, and inſiſted upon juſtifying the deſign: which he alſo ſigned with his own hand, and it was produced and read in court, and atteſted by ſeveral witneſſes.

Theſe depoſitions having been given by the evidence for the King, the priſoner was called upon by the court to make his defence; upon which he anſwered, that he acknowledged the truth of what had been depoſed againſt him; ſaying, that he meant it, that he intended it, and did not think there was any harm in it, or any guilt in the fact, if committed.

The priſoner declining to make any farther defence, was called upon by the court to know if he would call any evidences. To which he anſwered, No. The judge then proceeded to give the charge to the jury, obſerving to them the heinouſneſs of the crime of murther, and eſpecially by aſſaſſinating; a crime rarely known in England, though indeed common in that country from whence ſuch perſons would fetch the perſon they call their King; a crime heinous in its own nature, but aggravated to the higheſt degree, being againſt the life of ſo excellent a prince as King George, under whom we enjoy our religion, liberties, &c.

When

When the Court were beginning to ſum up the evidence, one of the jurymen ſtood up and begged the favour of the court that it might be explained and made out to him, by which of his actions, and how many there were, that made him guilty of an Overt Act; and was anſwered, that an Overt Act of treaſon meant when there was ſomething more done than words barely ſpoken; and though words ſpoken would not amount to high treaſon; yet thoſe words committed to writing by the perſon with a traiterous intent, was an Overt Act, and were high treaſon. That this was the opinion of perſons learned in the law, as Judge Hales, Coke, &c. And that the priſoner had, by as full and methodical evidence as could be given, been proved guilty of high treaſon; that his writing thoſe letters were Overt Acts; that his carrying the letter to Mr. Leak was an Overt Act, and eſpecially, 1ſt, In that the import and deſign of that letter was to excite and ſtir up perſons to bring in the Pretender. 2dly, That he himſelf did undertake to kill the King. 3dly, That he did endeavour the procuring of forces to be ready at the giving of the fatal blow; which were evident proofs of High Treaſon.

With which anſwer the gentlemen of the jury being ſatisfied, the court having ſummed up the evidence, the Jury went out, and after a very ſhort ſtay, found the priſoner guilty of high treaſon. And he being aſked, as is uſual before the receiving of ſentence, what he had to ſay why judgment ſhould not paſs upon him according to law; replied, "He could "not hope for mercy from a prince he would not "own."

Then the Recorder proceeded to give ſentence to the effect following:

"James

" James Sheppard, you are convicted according " to law of the greateſt of offences againſt hu- " man authority, high treaſon, in compaſſing and " imagining the death of the King. Your intent " was to kill, to murder, and baſely aſſaſſinate his Ma- " jeſty King George, in order to place a Popiſh Pre- " tender on his throne. It is very ſurpriſing that " one ſo young in years ſhould attempt ſo wicked " an enterprize: and it is more amazing that you " ſhould ſtill thus defend and juſtify it, and not only " think that there is no harm in it, but that the action " if committed would have been meritorious.

" It was reaſonable to think that you had received " thoſe impreſſions which incited you to this under- " taking, from ſome of thoſe falſe and malicious li- " bels which have been induſtriouſly diſperſed to de- " lude unwary readers, and to alienate the minds " of his Majeſty's ſubjects; and it appears to be " ſo from your own confeſſion, that you had im- " bibed your principles from ſermons and pamph- " lets, which make you think King George an Uſur- " per, and the Pretender your lawful King.

" Conſider, unhappy young man, whether you may " not be in an error; and what I now ſuggeſt to " you is not to reproach you, or to aggravate your " crime, but proceeds from compaſſion, and with " a regard to your further conſideration before you " go out of the world; that you may be convinced " of your error, and retract it.

" The notions you entertain are contrary to the " ſenſe of the nation; who found by experience " that their religion, their laws and liberties were " in imminent danger from a Popiſh Prince, and " therefore they reſcued themſelves from that danger, " and excluded Papiſts for the future from the crown; " and ſettled it on his Majeſty and his heirs, being " Proteſtants; which has been confirmed by many

" Parlia-

" Parliaments, and the nation feels the good effects
" of ſo happy an eſtabliſhment.

" It ſeems ſtrange, that you ſhould hint at a paſ-
" ſage in St. Paul for your juſtification. If he ex-
" horted the Chriſtians to ſubmit to the Roman Em-
" perors, even though they ſhould be tyrants, how
" comes it that you a private youth, ſhould not
" only judge of the title of Kings in oppoſition to
" the ſenſe of ſo many parliaments; but that you
" ſhould think yourſelf authorized to murther a prince
" in peaceable poſſeſſion of the throne, and by
" whom his ſubjects are protected in the enjoyment
" of all their rights and privileges, and of every thing
" that is dear and valuable to mankind.

" You mention in your papers as if you muſt expect
" the moſt cruel tortures. No, unfortunate youth,
" the King you will not own, uſes no cruel tor-
" tures to his ſubjects. He is King according to the
" laws of the land, and by them he governs. And
" as you have tranſgreſſed thoſe laws in the higheſt de-
" gree, the public juſtice requires that you ſhould
" ſubmit to the ſentence ordained for ſuch an of-
" fender; which is,

" That you be led from hence to the place from
" whence you came; from thence you are to be
" drawn upon a hurdle to the place of execution,
" and there you are to be hanged by the neck, and
" being alive to be cut down, your bowels to be
" taken out of your belly, and there burnt, you
" being alive: your head is to be cut off, and your
" body to be divided into four quarters, and your
" head and quarters to be diſpoſed of as his Majeſty
" ſhall think fit. And God Almighty have mercy on
" your ſoul."

After this condemnation, Mr. Lorrain, the Ordi-
nary, gives an account of him, the ſubſtance of which

is

is as follows; that in diſcourſing with him concerning the crime he ſtood condemned for, he told him, that by the reading of certain ſermons and other books he had learned, that he, whom we call our King had no right to the crown of England, and ſo he was fully perſwaded, that the killing of him would be a good and commendable thing; and from that time, which was about three years before, he had a mighty impulſe upon his heart, that he muſt be the perſon who ſhould do the deed; namely, aſſaſſinate King George in his own palace; and by this means make way for the right heir: and, he ſaid, he verily believed it was a motion that came from God to his ſoul.

Mr. Lorrain adds, that he endeavouring to convince him of his error, and telling him as it had been of ſo long ſtanding, he had time to have prayed to God for grace, that he might have ſuch wicked COGITATIONS removed from his heart. He replied, "That he did pray; and, that by how much "he prayed, by ſo much the more he was encouraged "and confirmed in the lawfulneſs of his deſign."

Mr. Lorrain ſays, that diſcourſing with him at the hatch-door, that leads to the dungeon, or Condemned Hold, in the Lodge, being very noiſy and incommodious, by reaſon of people crowding to hear what he ſaid to James Sheppard, he deſired him to let him have an opportunity to ſpeak with him in private; but he would not conſent to it, ſaying, "He "durſt not truſt himſelf with him." To which Mr. Lorrain replied; why, am I ſuch a monſter, or a man ſo dreadful? "No," replied he, "but I am afraid of "your arguments: I am not ſcholar good enough to "anſwer you." To which he made reply, and alſo endeavoured to perſuade him to conſider, whether it was not a ſtrong argument, that he was under a deluſion, for that if God had commanded him to go about ſuch a thing, he would not have met with ſuch a diſappointment in his purpoſe. To which he an-

ſwered; "That his being thus diſappointed did not "proceed from the illegality of the fact, but from "ſome ſins (he would not tell what) he had other-"wiſe committed." That then he aſked him theſe queſtions? "Did you never reflect upon the heinouſ-"neſs of that fact you would have committed? had "you no dread, no horror, upon you? did you feel "no remorſe, no throws of conſcience at the "thoughts of it at any time?" To which he replied, "No; but, on the contrary, I was very well pleaſed all "along, and very eaſy in my mind.

Then the Ordinary adviſed him to examine himſelf, whether it did not proceed from pride, and whether he did not mightily pleaſe himſelf with the thoughts that he ſhould be admired and extolled by ſome for his courage, in having done that which no others durſt attempt? to which he anſwered, "That it "was not ſo; but only the ſenſe of his duty to his "King prompted him to it; and, that though him-"ſelf had not, yet he knew another who would have "done it if he had lived; but he died a few days "ſince," which he expreſſed a great ſorrow for; but who that perſon was, he ſaid he would never tell. And going on to argue with him againſt ſuch a reſolution and principles as he had taken up, he anſwered him; "I am ſatisfied, I am in the right;" adding, "That he had not altered his mind in the "matter nor ever would alter it; and that if it were "in his power, he would ſtill kill him whom we own "for our King, or any friends of his." That then he put this queſtion to him, "Would you have killed "the late Queen?" To which he replied, "I had "not theſe thoughts when ſhe was alive: but if ſhe "were ſo now, I would kill her." Which expreſſion he repeated two or three times; but when he ſaw people about him were ſtrangely ſurprized, he ſaid, "Per-"haps I would not have done it, becauſe ſhe was a

"a woman,

" a woman, who governed not her ſelf, but others did " it for her."

The Ordinary adds, that one morning hearing he was in a private room, and a clergyman with him, he deſired to go and ſee him, which he did; and ſeeing two men with him, one in the habit of a divine he aſked him how he found this poor unhappy young man, and whether he repented; to which the clergyman anſwered, " He found him in a very good " ſtate." Then turning to James Sheppard, and telling him he muſt give glory to God, and acknowledge his faults, and that eſpecially for which he was under condemnation; the clergyman cried out, " Hold there, I am his Father Confeſſor, and he " and I are of the ſame communion, and you are " not." To which the Ordinary replied, " Are you " of that communion, that holds it lawful for men " to murther princes in a moſt execrable and treaſonable manner?" To which he made no direct reply, but went on, telling him, " I am in communi- " on with him, and what is fit to be ſaid to him, he " ſhall receive from me, and none but me, who am " his proper confeſſor; and ſhall give you no account " of himſelf, nor any anſwer to any queſtion you " ſhall aſk him:" yet he did aſk him, whether he thought it lawful to murther the King; and other queſtions, but he made him no anſwer at all. Then turning to the clergyman, he put theſe queſtions; " Do you think him in a good ſtate to entertain ſuch " a wicked, traiterous imagination as that of killing " King George?" to which he only replied, " I have " nothing to ſay to you." He then aſked him, again, " Do you not think in your conſcience that he ought " to repent of it, confeſs it, and beg pardon for it?" he anſwered, " No;" and with that went away as faſt as he could, and the priſoner after him.

He adds, that the next day he went to viſit him again, where he found his Father Confeſſor and his

aſſiſtant with him: that he told him he was come to ſpeak to James Sheppard, and aſked him whether he had impartially conſidered the henious fact he would have committed? whether he now abhorred it, and repented of it? but the ſaid Confeſſor told him he would not give any anſwer to the queſtions he put to him, nor did he give him any; thereupon he deſired his Confeſſor to aſk him, but he replied, "He "would not do it; and what he had to ſay to him, "he would not ſay in his preſence, and that the priſo-"ner was not obliged to ſatisfy him in thoſe things "he demanded of him, becauſe he was not his pro-"per prieſt." The Ordinary then deſired them to withdraw, which they did a little, out of the door, the door being open: he then put the queſtion to James Sheppard, "Whether he perſiſted in his for-"mer opinion, that it was lawful for him, and he "had a commiſſion from God to aſſaſſinate the King:" But he made him no anſwer, then he aſked him if he ſhould pray with him? but he told him, he ſhould not. He then aſked him if he deſired his private or public prayers, and the prayers of the church? he anſwered, "He deſired their prayers "only who were of his own communion." That then he was going out of the door, and his confeſſor who was ready at the door came in very haſtily, and treated him very rudely and impudently.

He adds, that on the Saturday before execution, he went to viſit him, he having a room near the chapel, and aſked him to come the next day to chapel; but he would not, but told him, "He was "ſtill of the ſame mind as he had declared before, "and ever would continue in it."

The morning before his execution he viſited him again, would have repeated his inſtructions, but he would give no heed to him, but turned his back upon him, and did the ſame at the place of execution; and when his Confeſſor, who aſſiſted him, and gave him

him abſolution was gone off the cart, he would not permit him to pray with him at all, after he had time allotted him at the place of execution; he was turned off, delivering a paper to the Sheriff, which contained ſeveral treaſonable expreſſions, which the government would not permit to be publiſhed.

He was executed at Tyburn on the 17th of March, 1717-18.

An Anſwer to a Narrative of the Ordinary's Account, of what paſſed between him and James Sheppard, *&c. Written by a* Nonjuror.

" Paul, Paul, *why perſecuteſt thou me?*"
Acts ix. 4.

Reverend Sir,

THOUGH the text in the frontiſpiece of this ſhort letter, conſiſts of words ſpoken by our Bleſſed Saviour after his aſcenſion, to the moſt learned of all the Apoſtles, in the very heighth of his perſecutions of thoſe that had embraced the doctrines of Chriſt, and had that effect upon him as to bring about his converſion; yet they are neither applicable to you as a man of letters, nor a perſon who has humility enough to be made a convert, ſince ignorance, ſelfwillfulneſs and pride, ſeem to have lulled aſleep all the faculties of yours, and you think it beneath the dignity of your ſtation to give ear to the voice of reaſon.

Much better had it been for the poor ſouls under ſentence of death, that had been tortured before they came to the gallows with your impertinences, and with greater peace of mind had they made ſatisfaction for their breaches of the law, had you continued clerk to a Secretary of the Admiralty, or a Solicitor

citor at Newgate, and not been made its Ordinary; the diſcharge of which holy function requires a man of temper and humanity, not of wrath and railing accuſations; for though you think fit to make your young condemned priſoner afraid of your arguments, and agree with him, that he is not ſcholar good enough to anſwer you, it is not only my opinion, but that of thouſands beſides, that on all your long penny ſcribble, concerning that poor unfortunate boy, you have not made uſe of ſo much as one to the purpoſe, and are ſo far to ſeek in the art of Ratiocination (there's in return to your Cogitation) that you know not whence the word Argument derives itſelf, unleſs it be from *arguere*, to rebuke, reprove, call names, and vomit out ſlander.

You do well indeed, call your account a narrative, in imitation of Oates, Bedlow, and others, that have gone before you in the art of Falſehood and Prevarication; and by your leave, your little examinant makes it appear, that you will no way fall ſhort of your predeceſſor, Sam. Smith of pſalm-ſinging memory, to get out of the criminals what you can, and to be the very *Index Expurgatorius* of the whole art and myſtery of extorting confeſſions.

That very worthy perſon once upon a time, had a lad about James Sheppard's age, that was under ſentence of death for being too buſy with people's pockets, (under lock and key in his cloſet near the chappel?) "Come," ſaid he, "ſpeak thy mind chear-"fully boy, in diſcharge of thy conſcience, it will be "the better for thee another day. Thou haſt been "a great ſabbath-breaker, haſt thou not? anſwer me "quickly, what doſt cry for? Not I truly," was his reply, "I ſeldom miſſed going to church on Sun-"days, in the mornings and afternoons;" (for I told you his trade before) "for ſome years ſince." How! "prythee conſider, recollect yourſelf, all that have "hitherto fallen under my hands have been guilty of "that

" that crime. No Sabbath-breaker? cried Sam, then " thou haſt moſt undoubtedly been a very great " drunkard? hold up thy head, ſpeak the truth " and ſhame the devil. Nor that neither, ſaid the " boy, Good Mr. Ordinary excuſe me, no one ever " lived a more temperate life, I ſcarce ever went to " an ale-houſe but upon a purſuit, there to take " ſhelter. Alas, alas, were the next words of the " confeſſor, the devil has moſt aſſuredly got poſſeſ- " ſion of this boy! this rogue will own himſelf " guilty of nothing but the crime he is to die for, " what ſhall I do to eke out my paper of the dying " ſpeeches? Sirrah, thou muſt needs have loſt thy " memory. No drunkard! it's impoſſible, thou art " gone to all intents and purpoſes, if thou denyeſt " ſo apparent a fact; but I have thee now, thou haſt " been a great whore-maſter, woman, woman has " brought thee to this untimely end? I ſee it by thy " bluſhes, I have hit the right nail upon the head " at laſt. I never knew what a woman was, quoth " the boy, whoredom is a vice that in all my born " days I never had the leaſt appetite to;" with that, the Queſtion-Starter loſt all manner of patience, and having ſtormed and raved to no purpoſe, bid him begone for an impudent raſcal, to make room for another; for he had nothing to ſay of him after he was dead, but muſt write him down obſtinate.

Here you may expect to have me upon the trip, and to get me into Lob's Pound by way of information; but feed not yourſelf with ſuch imaginary views. King-killing is an act, had in the utmoſt deteſtation by the Non-jurors, as may be ſeen by Mr. Leak's diſcovery of the poor infatuated boy's very propoſal, and is only put in practice by ſuch as are favourers of the religion of the French Refugées. Witneſs the clan of Regicides that murdered King Charles I. and the pernicious tenets, that are ſtill held

held and avowedly maintained by their barbarous and blood-ſucking poſterity, which may with an emphaſis be ſaid to copy after the example of James Clement, John Chaſtel, and the Ravillacs, whom you have mentioned, without giving us to underſtand that they were your own countrymen. *

What reſts upon me is only to prove your uſage of the poor boy, your impertinent viſits to him, when your abſence was deſired, and your treatment of Mr. Orme, a gentleman of the ſame cloth with you, of much more learning and integrity, than you will ever be maſter of, while thoſe grey hairs of yours, that ſhould put you in mind of other matters, than calling a prieſt of the Church of England, Father Confeſſor, Jeſuit, and Wolf in Sheep's Cloathing, and all the rogues in the rainbow, are put into curl every night under your night-cap, and the juſtice that was on young Sheppard's ſide, to chuſe whomſoever he pleaſed to aſſiſt him in his laſt moments.

As to the firſt your uſage of the poor boy, &c. I appeal to yourſelf, if under the ſame unhappy circumſtances, if you would have been willing to have your precious moments diſturbed and rendered of no uſe, ſo you by interrogatories drawn from common place-book, and put to you by a perſon, with whom you thought it ſinful to hold any communion; would you I ſay, have poſſeſſed your ſoul in peace and perfect tranquillity, under the utmoſt reſignation, had a clergyman of the Romiſh perſuaſion, whoſe articles and ſuperſtitious faith, you had ſolemnly abjured at your entrance into holy orders, even when you were on the verge of this mortal life, and the brink of eternity, broke in upon your preparations for another world, by telling you, that

* N. B. In the Ordinary's paper, from whence a part of our preceeding account is extracted, he compares Sheppard to theſe aſſaſſins.

you

you muſt ſuffer everlaſting death, if you did not believe as he did, and acknowledge yourſelf a Schiſmatic, and a Separatiſt from Mother Church?

As to the ſecond particular, it is not to be found, that Mr. Orme upon any account gave you indecent language; if he had, the town would have rung with it, as with yours to him, which you take pride in repeating. You only ſay, he was very rude and unmannerly, but for what reaſon? becauſe he had nothing to ſay to you; when you put enſnaring queſtions to him, which if not anſwered agreeably to your own ſentiments, might have brought even his life alſo into the greateſt danger, ſince it is known by a very recent inſtance, that you are not very expert in keeping ſecrets; and you that divulge the confeſſions of dying criminals, that ought to be locked up, and kept in ſilence, according to the uſage of the primitive Church, and the brighteſt ornaments of it in latter ages, would no more have made a ſcruple of ingratiating yourſelf with your ſuperiors, by an information, than you have done very lately.

This puts me in mind of the latter part of your paper, wherein you ſay, Mr. Orme had the preſumption to give the condemned young man public abſolution, though he viſibly died without repentance. Wherefore you muſt give me leave to take your method upon me once more, and aſk you, whether you aſſert this to your certain knowledge? if not, you are guilty of a manifeſt untruth, and what you aſſert only upon belief, muſt appear to be a downright falſehood. For this I will affirm, and this I will abide by, that though the lad did not think it neceſſary to give any tokens of contrition for the raſhneſs of a bad fact, which Mr. Orme had made him ſenſible of in your preſence, yet he did own himſelf guilty of a very great crime in his intention to commit it; and that, if it ſhall be thought proper by the government, to conſider the perſon here ſaid publickly to

abſolve him, that you will be at a very great loſs to make out that particular, ſince if you heard one word that was then and there ſaid between them at their laſt parting, I heard the whole conference from Tyburn to Alderſgate ſtreet.

The laſt article, the right of chuſing whomſoever the lad pleaſed to aſſiſt him in his preparations for eternity, will appear to be on his ſide, not only from the practice of all ages and times, but even from your own conceſſions on that very day whereon he was executed. Did not the Marquis * deny the murder of his ſervant, though preſſed by you to acknowledge it, as appears in your account of his behaviour, ſaying, "He was a man of honour, who never did "a baſe thing, nor injured any man, and that he "never did any ſuch thing, never was guilty of "murder." Yet had not he a prieſt, though a Roman Catholic to attend him in priſon, and at the place of execution, and ſhall a poor dying boy, and a clergyman of the Church of England, be inveighed againſt for joining together in prayers and ſacred offices, becauſe your impertinence was not allowed to interrupt them in their devotions?

If the lad was guilty of intended murder, was not the Marquis of one actually done and committed? and ſhall you with a forehead of braſs ſeem inclinable to give that Chriſtian liberty to a Papiſt, which you declare not fit to be tolerated in a Proteſtant? fie on you, fie on you; all your pretended zeal for King George, and the royal families ſervice and intereſt, will never excuſe you for this inhumanity and impartiality, and the very under-turnkeys themſelves, whom you are irritating their ſuperiors againſt for not admitting you, whether the priſoners would or no, into the priſoner's room, are more than a

* The Marquis de Paleotti, who was hanged for the murder of his ſervant on the ſame day that Sheppard was executed.

bar's

bar's length beyond you in acts of charity. Money, money was the thing you wanted for his passport into another world. Then he might have taken what guide he pleased with him for his conductor, as well as the Marquis before him.

But I am tired and shall quit this unwelcome task by another story of your predecessor. It seems Sam had been down at the Sessions-house in the Old Bailey, and came thence into the Press-yard in Newgate, to take a cherupping cup, where he found one Captain Cheveley and another prisoner, sitting in one of the boxes. After a salute, says the old fellow, Captain, is this gentleman one of us, (meaning a prisoner) and being answered in the affirmative, went on thus: Well gentlemen, here's to your enlargement, and took a bumper; you'll come to chapel next Sunday, what subject will best please you? I think of peace, for peace is a very good thing, and a sermon upon that will go down with our audience well enough. Yes, doctor, very well, quoth the Captain, Frank and I will be your auditors. Why faith, says the Ordinary again, (and takes t'other pull,) I am against the effusion of Christian blood, I am just now come from doing an act of humanity, and saving a fellow from the gallows, by crying *Legit* my lord, when he could read no more than the cow that he stole. The rogue was poor, and I had no more than half a piece for my pains.

With that, after repeating the draught, he tumbled, and fumbled for a piece of paper from within his cassock, which with much difficulty he at last found, and opening was struck dumb with the sight of four of the white half-pence that went by the name of the Prince of Wales's at that juncture. At length, Oh! says he, that I had hanged this villain, I'll do it yet, but now I think of it I cannot: was ever such a trick put upon a man of my cloth! when he put them into my hands, he told me they were

four half-crowns. I'll inſtantly to the raſcal, that I will. And ſo he went, but when he came back acquainted the company, that all the ſatisfaction he could get from the perſon was, that he might kiſs his back-ſide; but that he would ſtick cloſe to his ſkirts at another ſeaſon, ſince he was certain of having him for a cuſtomer again very ſhortly, and then he ſhould ſwing for it.

The application is left with you, as is alſo my aſſurances, that I ſhall ever be on ſuch occaſions as this,

Reverend Sir,

Yours, &c. PHILALETHES.

Account of the Trial and Behaviour of JOHN PRICE, *alias* JACK KETCH, *who was hanged for Murder.*

AT the ſeſſions held at the Old Bailey, on the 24th of April, 1718, *John Price* was indicted for the murder of Elizabeth, the wife of William White, on the 13th of March preceeding; and he was indicted a ſecond time on the Coroner's Inqueſt for the ſaid murder.

It appeared in the courſe of the evidence, that as one Alexander Dufty was going over Bunhill Fields about 10 o'clock at night on the 13th of March, he heard a woman groaning, and a man ſaying to her, "D—n you for a bitch, why don't you take it "in your hand and put it in? if you won't put it "in I'll rip you up;" and immediately afterwards, "D—n you, you bitch, where is your money? give "me your money." Dufty now overtaking another man, aſked him to go with him and ſee what was the

the matter; which after ſome heſitation he complied with, and when they came to the place, they found a woman lying on the ground, and the priſoner likewiſe on the ground very buſy about her.

The priſoner now cried out, "D—n you, what "are you?" Dufty ſaid, "a man," Price cried "D—n you what do you want?" and Dufty anſwered, "To know what he was doing there;" to which the priſoner replied, that there was "nothing "but a drunken woman." Some perſons now coming by with a candle and lanthorn, it appeared that the deceaſed lay in a very indecent poſture, with her coats up to her belly, and that ſtreams of blood iſſued from her eyes and mouth: Dufty ſpoke to her, but ſhe was unable to anſwer, but made a noiſe as if ſhe had ſomething in her mouth, which on examination appeared to be blood; whereupon Dufty and his companion ſeized the priſoner, whoſe hands, coat and apron were bloody, and conveyed him to the watch-houſe.

The other man confirmed the above particulars, and the conſtable depoſed, that the two former evidences brought the priſoner to the watch-houſe; that he was all over bloody, and that he would have gone away, ſaying he had done nothing; but the conſtable told him that he knew him to be a rogue and a thief, and if he did not ſit down he would knock him down, or throw him in the fire.

After this the conſtable and ſome attendants went in ſearch of the woman, but it being very dark they could not find where ſhe lay, till the barking of a dog directed them to the body. They found the poor creature lying in a terrible condition, as above deſcribed, and obſerved that one of her arms was broke, and ſome of her teeth were knocked out, which were ſhewn the next day before the juſtice. The conſtable having directed the woman to be conveyed

veyed to the watch-houſe, ſent her to a nurſe, and gave orders that ſhe ſhould be taken care of.

The nurſe depoſed, that the woman was brought to her in the condition abovementioned; and that ſhe was not able to ſpeak from that time till her death: ſhe ſaid to her, "Though you can't ſpeak "you can hear; make ſome ſigns how you came by "your hurt;" on which the deceaſed lifted up one of her hands, not being able to move the other, and pointing to her head, throat and belly, intimated that ſhe was hurt in thoſe parts. In this wretched condition ſhe languiſhed four days and then died.

A ſurgeon depoſed, that being ſent for to the deceaſed, he found that ſhe had a wound above one of her eyes, that an eye was ſtarted out of her head, which he depreſſed and put in again; that ſhe had another wound near her noſe, that her throat was much bruiſed, and the ſcalp of her head ſo contuſed that he had ſcarce ever ſeen the like; that the upper part of her womb was much lacerated, and that her death was the undoubted conſequence of theſe wounds.

The huſband of this poor woman was a watchman, who depoſed, that his wife uſed to ſell gingerbread and cakes about the ſtreets, and went out about ten in the morning in perfect health; that about ten at night his ſon went home, but his mother having the key he could not get in, but ſat down at the door where he fell aſleep; that waking and not finding his mother, the boy came to him at the watch-houſe in Cheapſide to enquire after her; and that he knew nothing what became of his wife, till he heard of the murder the next day.

The priſoner denied being guilty of the fact, and in his defence ſaid, that as he was coming from Holliwell-Lane, he ſaw three men croſſing the fields to Checquer-Alley; that he found ſomething lying in his

his way, and kicked at it with his foot, but finding that it was a woman, he lifted her up, but ſhe could not ſtand on her legs; and while he was thus employed he was apprehended.

The jury being ſatisfied with the evidence for the King, paid no regard to theſe allegations, but found the priſoner guilty of wilful murder, in conſequence of which he reeeived ſentence of death.

The account he gave of himſelf was as follows: "That he was forty one years of age, born in Old-"Soho, in the pariſh of St Martin's in the Fields, now "in the pariſh of St. Ann's, Weſtminſter; that his "father was a ſoldier in Tangier, but unfortunately "blown up in the demoliſhing of that place, about "the year 1673, and his mother being left in poor "circumſtances, and not being able to give him edu-"cation, nor indeed himſelf willing to take it, he "was put apprentice to a Rag-Merchant: that his "maſter dying when he had been about two years "with him, he ſoon went away from his miſtreſs, "who he ſaid was very ſevere to him, and got into "another ſervice, which was loading waggons with "rags; after that he took a fancy to go to ſea, and "ſerved on board the Old Ruſſel, Grafton, Devon-"ſhire, and other men of war, off and on for the "beſt part of eighteen years. And afterwards he "was the *Finiſher of the Law*, for about twelve "months, and might have continued ſo to that time, "if he had taken better care of his concerns, and "lived within compaſs; but ſpending his money ſo "faſt, and beyond his comings in, and thereby "growing in debt, he was one day arreſted in Hol-"born, at his return from an execution, and though "it was but for 7s. 6d. which he then cleared, and "alſo paid the charges, partly with what little money "he had then about him, and partly with three "ſuits of cloaths, the remains of thoſe who had

"been

" been executed that day; yet having two other " actions taken out againſt him, and no money, credit, " or bail to give in, he was thrown into the Mar- " ſhalſea, where he continued a priſoner ſome time, " ſo that when the next execution was to be " performed, he being out of the way, Wil- " liam Marvel was put in his place of execu- " tioner.

" That he then continuing in the Marſhalſea, now " and then obtained the liberty of going abroad, and " worked as a labouring man, ſerving bricklayers, " maſons, &c. But being afterwards deprived of " that liberty, he, with another priſoner, contrived " a way to eſcape by making a hole in the wall."

After condemnation, this malefactor, inſtead of improving his time in the manner he ought to have done, took to drinking gin, and other ſtrong liquors, to ſuch a degree, as rendered him totally unfit for all the purpoſes of devotion.

He obſtinately perſiſted in denying the fact for which he was condemned, till the day of execution, when he acknowledged that he was guilty of it, ſaying that he did it when he was in liquor. At the place of execution he deſired the ſpectators to take warning by his untimely fate, and begged the mercy of God in his laſt moments.

He was executed in Bunhill-fields, on the 31ſt of May 1718, and afterwards hung in chains near Holloway.

The Trial, Defence, and Caſe of Mr. EDWARD BIRD, *who was convicted of Murder.*

AT the ſeſſions held at the Old Bailey on the 10th of January 1719, Edward Bird, of St. James's, Gentleman, was indicted for the murder of Samuel Loxton, by giving him one mortal wound with a ſword, on the right ſide of his body, between the firſt and ſecond ribs, of the breadth of half an inch, and the depth of twelve inches, of which wound he immediately died. There was likewiſe a ſecond indictment on the Coroner's Inqueſt, and a third on the ſtatute of ſtabbing.

The firſt evidence was Thomas Baberton, alias Vernaſſel, who depoſed, that on the 25th of the preceeding September, the priſoner came to the houſe of Mr. Seedwell, the Bagnio in Silver-ſtreet, in a coach with a woman, and brought with him a bottle of champaign wine; that Samuel Loxton, the deceaſed, waited upon them; that they went to bed and lay till about two o'clock, and then knocking, the deceaſed went up, and when he came down again, ſaid the priſoner demanded a bath, but that he being then employed in cupping a gentleman, told him that he had almoſt done, and then he ſhould have one got ready as ſoon as poſſible: that the deceaſed likewiſe ſaid that Mr. Bird had curſed and damned him, ſaying he would have one that very moment, and had alſo threatened and attempted to kill him.

He farther depoſed, that the priſoner ſtill continuing to knock, he begged leave of the gentleman he was cupping to go up to him, as the deceaſed was afraid to go up again; accordingly he went

up, told Mr. Bird he had ſet the cock running, and the bath would be ready in the eighth part of an hour; but Bird ſaid, "G—d d—n you, ſirrah, I "will have it this moment," and getting out of bed, made eight or ten paſſes at him, which he avoided by holding the door in his hand, and then by pulling it cloſe; that hearing the ſword drop on the floor, he opened the door again, when the priſoner ran after him, threw him down ſtairs, and broke three or four of his ribs; that his miſtreſs hearing this, enquired what was the matter, and calling her maid, ſent her up to the priſoner to aſk him why he would kill her ſervants; to which the priſoner replied, "G—d "d—n you for a bitch, if I could come at you I "would ſtick you firſt." That then his maſter getting up, went, with his wife, this deponent, and the deceaſed, to the priſoner; that Mr. Seedwell went in firſt, the deceaſed next, and himſelf followed, while Mrs. Seedwell ſtood at the door; that Mr. Seedwell ſtood at the bed ſide, and the deceaſed at the foot of the bed; that none of them had any weapon, ſword, ſtick, cane, or any thing except a candle and candleſtick; that then Mr. Seedwell expoſtulated with him thus: "For God's ſake, Sir, "what is the matter? what have my ſervants done? "if they have offended you I will puniſh them be- "fore your face; you ſhall have any accommoda- "tion in my houſe; but if you cannot be eaſy here, "I will provide you either coach or chair, to go "where you pleaſe, and aſk nothing for what you "have had; but I beg of you not to make a diſtur- "bance; I have ſeveral perſons of conſideration in "my houſe; you will do me a prejudice."

The priſoner being ſtill very outrageous, ſtarted up in the bed, and taking a ſword, which lay naked on the left ſide, the woman lying on the right, and raiſing himſelf up, griped his ſword, and made two ſtabs at the deceaſed, at the ſecond of which he

ſtaggered

ſtaggered a little, and fell backwards againſt him, never ſpeaking one word, but died immediately, and was found with a pinch of ſnuff betwixt the thumb and finger of his right hand as he lay dead on the floor.

Mr. Seedwell confirmed his evidence as to the manner of the fact; adding, that when he expoſtulated with him why he would kill his ſervants, he replied, "G—d d—n you, I will kill you all," and that they had conſiderable ſtruggling with him before they could diſarm him, as he endeavoured to kill all of them; but that the woman lay ſtill, and neither ſaid or did any thing.

Mrs. Seedwell confirmed the chief of what had been before depoſed; adding, that when ſhe ſent up the maid, ſhe bid her give her's and her maſter's ſervice to him, and tell him they would both wait upon him immediately; and that when the maid came down, ſhe ſaid "Madam, the gentleman ſays "he will murder my maſter."

She added, that when the priſoner had killed the deceaſed, they endeavoured to take his ſword, and he having it under his arm, made a thruſt to wound any that ſhould happen to be behind.

The ſurgeon depoſed, that he being ſent for, found the deceaſed quite dead, and ſearching, found two wounds, one ſlanting five or ſix inches, which did not penetrate; the other betwixt the firſt and ſecond ribs, that penetrated the body and lungs four fingers deep, which, he verily believed, was the cauſe of his death.

A farrier at Putney depoſed, that about two years before, the priſoner brought his horſe to him, and required him to pare down his hoofs after an unuſual manner; which he refuſing, the priſoner drew his ſword, and run him quite through the body.

The priſoner, in his defence, pleaded, that being to go out of town the next day, he lay at the Bagnio to prevent the trouble that getting up early in the morning might occaſion to the family; that about two o clock he deſired a bath; that the waiter coming to him, told him he ſhould have one; and at other times told him he ſhould have none, went away, and locked him in; and in about a quarter of an hour, they all came up and ſaid he ſhould have no bath, but be turned out into the ſtreet that moment; that he refuſing to go, they all ſurrounded the bed, laid hands on him, tore his ſhirt, and the deceaſed gave him ſeveral blows, which bruiſed him very much on the ſide, arm, and on his knuckles; that he thereupon thinking miſchief was deſigned him, drew his ſword to defend himſelf; and the deceaſed repeating his blows, and unfortunately falling, or ſtooping towards the bed, this unhappy accident happened to a man that he never had any difference with before.

He then called the following witneſſes.

Suſannah Webſter depoſed, that ſhe being at the place aforeſaid, the priſoner about two o'clock in the morning, knocked, and would have a bath, but the waiter made anſwer, that there was a great gentleman in the bath, and he could not have one till five in the morning, and then he would call him; that he ſaying he would have one preſently, the waiter replied, " G— d—n him for a raſcal, he neither " could, nor ſhould have any;" to which the priſoner replied, that gentlemen were not to be ſo abuſed; that upon this he aroſe, and puſhed the waiter out of doors; that the man at the beds-feet ſtruck the priſoner, and ſhe heard an out-cry of murder, and was afraid they ſhould both be murdered; that ſhe ſaw the priſoner riſe up in his bed, and two men holding him; that when the deceaſed lay dead on the floor, he had a dark coloured cane hanging at his wriſt

by

by a black ſtring, but ſhe knew of no ſword in the bed, nor ſaw any wound given.

Elizabeth Roſs depoſed, that ſhe lay that night at the Bagnio, and hearing the diſturbance, went to the priſoner's room, and ſaw the deceaſed lying on the floor, a cane lying by him, and a faggot-ſtick upon the ſtairs, hard by the door of the room; which laſt circumſtance, as to the faggot-ſtick, was alſo confirmed by another evidence.

Thomas Walker, who ſuccceded the deceaſed, as waiter at the Bagnio, depoſed, that a gentleman came to the Bagnio, and enquired into the circumſtances of the fact, and being ſhewed the room in which it was done, examined the door and wainſcot, and could not perceive any marks of the eight or ten paſſes made againſt it by the priſoner, as had been depoſed by Thomas Baberton; and that he diſcourſing with Baberton about breaking his ribs, ſeeing him ſtript, ſaw no mark or appearance of any ſuch thing; and, that Baberton, when he aſked him why he did not apply ſomething to them, ſaid, they were not broke, but bruiſed. And, as to the deceaſed, beſides an ill character, he ſaid, that he uſed to be abuſive to gentlemen, and had been wounded not long before, which the proſecutors could not deny.

The priſoner called ſeveral witneſſes to prove that his ſhirt was very much tore; which was confirmed by the conſtable and watchmen who apprehended him, and was alſo produced in court.

He alſo called the conſtable, watchmen, and ſeveral other witneſſes, who depoſed, that they ſaw a bruiſe on his arm, and alſo a hurt on his knuckles, and that they were bloody.

He likewiſe called ſeveral people of credit and worth to his reputation and peaceable demeanour, who gave him a very good character.

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He alſo obſerved that little credit was to be given to the evidence of Baberton, otherwiſe Vernaſſel, who had ſwore that three or four of his ribs were broken, when it was ſworn by another evidence, that he himſelf owned that his ribs were not broke, but only that he was bruiſed; and he owned in court that he had never made uſe of any ſurgeon, &c. on that account.

Upon hearing the whole matter, the Jury found him guilty of all the indictments.

Before he received ſentence, being aſked what he had to ſay why judgment ſhould not be paſſed upon him according to law, he addreſſed the court in the following terms;

I Submit myſelf to your lordſhip and this honourable bench; and I beg only your honourable favour and regard, that as the witneſſes for me ſwore poſitively to my being aſſaulted, and that the jury (to my great misfortune) were not pleaſed to give credit to the ſame, your lordſhip will make the moſt favourable interpretation of it.

But above all, I deſire your lordſhip's notice, that there were many manifeſt contradictions in Vernaſſel's evidence, and I may ſay, impoſſibilities in other of their witneſſes; beſides his denying on my trial, that he double locked the door, which he ſwore he did before the coroner, makes me, with reaſon, believe my life has been maliciouſly ſought; for I call God to witneſs, I did not offer the leaſt violence to the deceaſed, till after I was ſtruck and illuſed by him.

I ſubmit myſelf to your lordſhip, and hope you will make ſuch favourable report to his Majeſty, as may not obſtruct, but leave room to apply to his wiſdom for mercy.

The Ordinary's Account of Him.

THIS Mr. Bird, aged about twenty ſeven years, ſaid to be born of wealthy parents at Old Windſor, was well brought up by them, who gave him a chriſtian and gentleman-like education. They put him early to the care and inſtruction of the late Reverend Dr. Buſby, Maſter of Weſtminſter-School; and thence, when pretty well advanced in his learning, removed him to Eaton-College. After ſome ſtay there, they finding his inclination was to ſee the world abroad, fitted him out for his travels; and then he made a tour in France, and went alſo into Italy, &c.

When he had ſpent ſome time abroad in foreign countries, he returned into England, and not long after had a lieutenant's commiſſion in the regiment of horſe commanded by the Marquis of Wincheſter. Before this, he had in a great meaſure, given himſelf up to a vicious courſe of life; and his evil inclinations growing ſtronger in him, he at laſt abandoned himſelf to all manner of lewdneſs and debauchery; the conſideration whereof I put cloſe to him, endeavouring to bring him to a due ſenſe and true repentance of his paſt follies. And here I put him in mind likewiſe of his ill uſage of a virtuous gentlewoman he formerly married, defiling the marriage-bed, &c.

While I was laying theſe things, and many more of a heinous nature, before him, and telling him, that the world abroad rung of them, he denied them not; but ſaid he was not guilty of murder, the crime he ſtood condemned for; and that as to other ſins, he had begged pardon of God for them, and did not doubt of his mercy. Many private admonitions and directions I gave him, and offered to pray by him in his chamber, which I did when he gave

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me leave; but very often he desired me to spare that part of my service, because he was very busy, was to write letters, expected company, and such like frivlous excuses.

All the time he was under confinement in Newgate, I could not persuade him to come to prayers, and hear the word of God in the chapel, which he might have had an opportunity to do twice every day for the most part of that time; which was between the 26th of September 1718, and the day of execution. And the reason of his so long confinement before he was brought to his trial, is this:

When he should have been tried at the sessions held at the Old Bailey in October 1718, he pleaded he was not ready for his defence, and so his trial was put off to the next sessions, to be held in the month of December then following: but before that time came, he falling sick, and the physicians, who visited him, making affidavit that he was not in a fit condition to be removed out of his chamber, the court did again defer his trial to the sessions beginning on Thursday the 15th, and ending on Monday the 19th of January, 1719-20.

After this I repeated my visits to him, and desired to have been more frequent than before in them; but I found him always so busy, sometimes in writing, and at other times with company, that I could hardly have any opportunity to speak to him of his future state. Nevertheless, I endeavoured to prepare him for his great change, and for a better life, &c. To this he seemed to give a little attention, but something coming into his mind which he said he must do presently, he desired me to leave him, saying he would send for me another time, when he was at leisure. Accordingly he did, but when I came to him, I found he had not sent for me to pray by him, or discourse him about divine matters, but only to shew me the draught of a paper which he said he had

had prepared by the help of a friend, and which he intended to publiſh. Upon this, after I had read it, I told him plainly, that the drift of that paper being to inſinuate he had not juſtice done him at his trial, he muſt not think that the world would believe him to be (as he endeavoured to appear) innocent of the murder he was condemned for.

Having freely declared my mind to him in this matter, and that according to my judgment (who was at his trial, from the beginning to the end) I thought him juſtly convicted of that murder; and that I would adviſe him to reflect upon none but himſelf, telling him, he would certainly (if he did impartially conſider the thing) acknowledge his guilt, and repent of it; he then ſeemed to be uneaſy; but I told him, that though I was very unwilling to offer any thing to a gentleman that might grate upon his ſpirit, or be unacceptable to him; yet it was my duty to make his ſins as odious to him as I could, in order to bring him to a juſt abhorrence and deteſtation of them; adding, that if he would pleaſe to conſider the vicious ſteps that had led him to this barbarous crime, he would find abundance of ſins, beſides this, to repent of; which he muſt do before he died, or elſe be eternally undone. To this he ſaid but little, and I left him for that time.

When I came to him afterwards, if it was in the morning, he deſired me to come in the afternoon; and if in the afternoon, to come the next morning: thus he induſtriouſly endeavoured to trifle away his time, and ſet aſide all thoughts of his approaching diſſolution.

On Saturday I exhorted him to come the next day to the chapel, and apply himſelf entirely to holy meditation, prayer, and hearing the word of God with due attention and ſincere devotion; but I could not perſuade him to come, nor indeed at this time to let me pray by him; alledging, his head was ſo

full of other matters, that he could not mind any thing elſe.

On Sunday I viſited him in his chamber, and did the like the next morning; when underſtanding that he had the night before took a doſe of poiſon, and after that ſtabbed himſelf in ſeveral places, I told him, I was ſorry to hear he had added ſin to ſin, by attempting to commit a freſh murder, and that too upon himſelf: to which he replied, "That he did "not think it was a ſin, becauſe he was to die." Whereupon I endeavoured to make him ſenſible he had no power over his own life; and that by this he put himſelf in danger of carrying his guilt unrepented of into another world.

As there was all along great endeavours uſed to ſave his life, I obſerved to him, that neither the ſolicitations of his friends, nor his own attempts upon himſelf, were able to prevent God's juſt judgments againſt murder, &c.

At the place of execution, whither he was carried in a mourning coach, I attended him for the laſt time; and when he was removed out of that coach, (wherein he had ſtaid about an hour with his mother after his arrival there) I prayed with him in the cart, gave him ſome exhortations, ſung a penitential pſalm, made him rehearſe the Apoſtle's creed, and then wiſhing him that life he had made profeſſion to believe, I retired from him.

One of the three clergymen that went with me to ſee the execution, ſtept into the cart when I left him, but could work no good on him; who, inſtead of applying himſelf to his devotion, and deſiring the ſpectators to pray for him, and take warning by him, turned himſelf firſt one way, then another, and called for a glaſs of wine; but being told it could not be got there for him, he deſired a pinch of ſnuff; and taking it, he bowed to the gentlemen near the cart, and ſaid, Gentlemen, I wiſh you health. After this

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he was tied up, turned off, and bled very much at the mouth or noſe, or both.

He was executed at Tyburn, on Monday, Feb. 23, 1718-19.

Mr. Bird's *Caſe.*

THE nature and circumſtances of this proſecution will appear from the malice and character of my proſecutors; ſo as clearly to ſhew the world the neceſſity of defending my life in danger, when attacked in the night by a deſperate aſſailant, and a madman, as his actions and all men accounted him.

And I humbly beg your favourable attention to my caſe; which the more it is enquired into, the more the world will be convinced of the hardſhip Mr. Bird lies under. For it appears, the foreman of the jury was landlord and intimate friend of the maſter of the Bagnio, which I was not acquainted with at my trial.

And he flatters himſelf, it will be judged very improbable, that three perſons ſhould force themſelves into his chamber, in a violent manner, the door being double-locked, and bring no ſticks, or other weapons with them, either to aſſault others or defend themſelves; eſpecially ſince Thomas Vernaſſel ſwears, that when he was in the room, the ſaid Mr. Bird was angry with him, and threw him down ſtairs, ſo that he broke three or four of his ribs with the fall.

Vernaſſel's evidence being notoriouſly falſe, it is preſumed can be no weight. He ſwears, that his ribs were broke by the fall down ſtairs; yet depoſeth, that he returned with his maſter and the deceaſed into his chamber, and attended the ſame day, for ſome hours, before the juſtice of peace; and every

day ſince has done all the buſineſs he uſed to do, without one day's intermiſſion; which are very ſtrong proofs that his evidence was falſe in that part, and he humbly conceives muſt invalidate his whole evidence.

Beſides, Mr. Walker ſwore he had owned to him (who was a waiter in the Bagnio) that he had none of his ribs broke; and that ſeeing him naked he had no bruiſes. *Sworn in Court.*

In his evidence before the Coroner, Vernaſſel ſwore, that he double-locked the door.

Upon the trial he denied the door was locked at all.

Another, ſwore, that the deceaſed had a pinch of ſnuff betwixt the thumb and finger of his right hand, an hour after he lay dead.

It ſeems ſcarce credible, that he ſhould be taking ſnuff when he went into Mr. Bird's chamber; but if he had, phyſicians and ſurgeons all agree, that his fingers could not keep in that poſition, but of courſe muſt have relaxed, as thoſe and all other parts do in a dying perſon.

Ann Smith, another witneſs examined againſt him, appears ſince, not to have been in the houſe till near an hour after the accident happened. *See Ann Town's affidavit.*

As to the evidence given by the farrier, on which much has been relied in order to arraign and blacken Mr. Bird's character; it is to be hoped the ſame appears to be entirely malicious; it being of a fact by him ſaid to be committed two years before the trial: and beſides, Mr. Bird not ſuſpecting any ſuch evidence to be offered againſt him, was not prepared to defend himſelf againſt it; which otherwiſe he could have done, and proved it falſe and malicious in all reſpects; moreover, Mr. Bird gave his wife half a guinea; ſhe bringing the ſaid Mr. Bird, the next day, a baſket of grapes, and excuſing and aſk-

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ing pardon for her huſband's inſult to him, and ſaid he was drunk.

No notice was taken of the ill character of the waiter, nor of the deceaſed, who had many times, by his unmannerly behaviour, provoked ſeveral gentlemen to beat him, in order to get ſmart-money out of them, and had many wounds upon his body which he got by quarrels with gentlemen, none of whom, or any of Mr. Bird's moſt material witneſſes, and even they in court, were called, particularly Mr. Charles Brome, and Mary his wife, and Mr. John Johnſon: *whoſe affidavits are hereunto affixed.*

As to their aſſaulting Mr. Bird, there is Mrs. Webſter, the only unconcerned perſon in the room, (though they threatened that they would commit her to Newgate with Mr. Bird, and that ſhe ſhould certainly be hanged) ſwore, that he was aſſaulted by three men in his bed, and ſtruck ſeveral blows with a cane (for Mr. Bird calls God to witneſs, that he did not offer the leaſt violence to the deceaſed, till after he was abuſed and ſtruck by him.) She further depoſed, that they forced into the room, the door being double-locked, ſurrounded the bed, and began beating, tearing, and abuſing Mr. Bird, before he had his ſword drawn, he never ſtirring off the bed, as confeſſed by his proſecutors.

Another perſon depoſed, that being in the houſe, he ſaw the deceaſed, and a cane then lying near him as he lay dead.

Many gentlemen of worth and reputation appeared in Mr. Bird's behalf; and particularly Mr. Cole, the late Reſident at Venice, and his lady, depoſed, they ſaw Mr. Bird was bruiſed very much on his arm and knuckles. The conſtable and watchmen ſwore, at the time they apprehended him, they ſaw the ſame bruiſes, and his ſhirt very much torn; a ſurgeon, who dreſſed the bruiſes, ſwore the ſame; as

alſo,

alſo, that Mr. Bird had other bruiſes on his body, which he dreſſed.

As to the money offered; I declare that to be as baſe an aſſertion as their manifeſt perjuries, and the character of their infamous houſe can publiſh, &c. *See Mr. Johnſon's affidavit.*

For a further character of the deceaſed, here follows the affidavit of his firſt and lawful wife, the miniſter's wife, and ſome other witneſſes of that firſt marriage.

In Banco Regis.

SUſannah Loxton, the widow of Samuel Loxton, deceaſed, who was the late ſervant at the Bagnio in Silver-ſtreet, maketh oath, that in July, one thouſand ſeven hundred and thirteen, and as near as this deponent remembers, on the twenty-ninth day of the ſaid month, this deponent was legally married to the ſaid Samuel Loxton, according to the rights and ceremonies of the Church of England, in College-court Weſtminſter, by Mr. Shaw, a clergyman, at his houſe there, in the preſence of John Corniſh, and Ann Maria Dorton; and this deponent hath had two children by the ſaid Samuel Loxton, one whereof is now living; and further ſaith, that ſince this deponent's marriage with the ſaid Samuel Loxton, he the ſaid Samuel Loxton married one Diana Seedwell, the daughter of the maſter of the ſaid Bagnio, which as ſoon as this deponent diſcovered, ſhe cauſed the ſaid Samuel Loxton to be apprehended and carried before Juſtice Saintlo, who on full examination of the matter, committed the ſaid Samuel Loxton to Newgate, for marrying two wives; where he lay till he was acquitted by the late act of grace, or general pardon. And this deponent farther ſaith, that the ſaid Samuel Loxton, this deponent's

ponent's late huſband, was the ſaid Samuel Loxton, that was killed at the Bagnio in Silver-ſtreet, by Lieutenant Bird.

SUSANNAH LOXTON.

Jur. in Cur. 11 *die Februarii,*
Anno quinto Georgii Regis.

MARY, the wife of James Shaw, clergyman, maketh oath as follows; that the deponent was by and preſent, when Samuel Loxton, late ſervant at the Bagnio in Silver ſtreet, was married to Diana Seedwell, by this deponent's huſband, at his houſe in College-Court, Weſtminſter, which was, as near as this deponent can remember, about the beginning of September 1714, and not before; and this deponent can the better depoſe, for that the ſaid Diana at that very time had a pair of green laced ſhoes on, which ſhe put off before ſhe was married, ſaying, green was an unlucky colour, and ſhe would not be married in green ſhoes. And this deponent further ſaith, that as ſoon as the ceremony was over, one Mrs. Dorton, a neighbour of this deponent's huſband, came to this deponent's huſband's door, and met this deponent in the entry, and told her, that ſhe hoped this deponent's huſband had not married the ſaid Samuel Loxton to the ſaid Diana Seedwell, for that this deponent's huſband had above a year before married the ſaid Loxton to one Suſannah Cowper, and that his ſaid wife Suſannah was then living; whereupon this deponent, in a very great ſurprize, acquainted her huſband with what he had done, and aſked him how he could marry the ſaid Loxton to the ſaid Diana Seedwell, when his former wife was living? and this deponent, upon ſearch of this deponent's huſband's book, wherein he entered his marriages, found the ſaid Loxton's marriage with his firſt wife Suſannah entered, and ſhewed

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it this deponent's huſband, upon which he ſeemed much concerned, and ſaid, he did not remember that he had before married the ſaid Loxton, and ſeemed very ſorry for what he had done.

MARY SHOW.

Jur. in Cur. 11 *die Februar.*
coram J. Ayres.

In Banco Regis.

JOHN Corniſh, of Parker's-Lane, Holborn, Malſter, and Anna Maria Dorton, Widow, living in the Hay-Market, jointly and ſeverally make oath, that in July 1713, and as near, as theſe deponents remember, the 29th day of that month, Samuel Loxton, late ſervant at the Bagnio in Silver-ſtreet, deceaſed, was married to his new wife Suſannah Loxton, (whoſe name before marriage was Suſannah Cowper) by one Mr. Shaw, a clergyman of the Church of England, at his houſe in College-Court, Weſtminſter, in the preſence of theſe deponents. And theſe deponents can the better depoſe, for that this deponent, John Corniſh, gave the ſaid Sunannah Loxton away to the ſaid Samuel Loxton, as her father.

John Corniſh.
Anna Maria Dorton.

Jur. in Cur. 11 *die Februar, Anno quint. Georgii Regis.*

In Banco Regis.

ANN Harriſon, of the pariſh of St. James's, Widow, maketh oath, that ſhe very well knoweth Suſannah Loxton, the widow of Samuel Loxton, late ſervant at the Bagnio in Silver-ſtreet, deceaſed, and this deponent lodged in the ſame houſe with her,

her, at Mrs. Dorton's, when ſhe the ſaid Suſannah Loxton laid in of her firſt child, and that whilſt ſhe laid in of her firſt child, the ſaid Samuel Loxton came frequently to ſee her. And this deponent further ſaith, that when he was with her, he owned her as his wife, and the child as his own child, and called her his wife over and over again in this deponent's hearing, and in the hearing of a great many other perſons.

Ann Harriſon.

Jur. in Cur. 11 *die Febr. Anno quinto Georgii Regis.*

In Banco Regis.

MARY de Coſta, the wife of John de Coſta, maketh oath, that Samuel Loxton, late ſervant at the Bagnio in Silver-ſtreet, deceaſed, in May 1714, ſent for this deponent, and told her he had a child by Suſannah Loxton his wife, to put to nurſe, and agreed with this deponent for two ſhillings and ſixpence a week to nurſe the ſaid child; and accordingly this deponent nurſed the ſaid child fourteen weeks, for which this deponent was paid by the ſaid Samuel Loxton; and afterwards the ſaid Loxton took away his ſaid child from this deponent, and dropped the ſame in the ſtreet, for which he was taken up by the officers of St. Bride's Pariſh, London, and thereupon the ſaid Samuel Loxton, during the time this deponent nurſed his child, owned and confeſſed to this deponent, that he was lawfully married to the ſaid Suſannah Loxton, and that ſhe was his wife, but declared he had made a reſolution never to cohabit with her.

Mary de Coſta.

Jur. in Cur. 11 *Feb. An. quinto Georg. Reg.*

A Copy of the Commitment of Samuel Loxton, *for living in Adultery with* Diana Seedwell, *his firſt and lawful Wife* Suſannah Loxton, *being then living: For which he was committed to* Newgate, *and came out by his Majeſty's Act of Grace.*

To the Keeper of Newgate.

Middleſex.

RECEIVE into your cuſtody the body of Samuel Loxton, charged before me, by his own confeſſion, for feloniouſly marrying of Diana Seedwell, his firſt wife Suſannah Cowper being ſtill alive: keep him till diſcharged by due courſe of law. Given under my hand and ſeal the 13th day of July, 1717.

L. Saintlo.

Vera Copia examen per Bodenham Rouſe, Turnkey.

ANN Town, ſervant to Mr. Seedwell, at the Bagnio in Silver-ſtreet, depoſeth, that on the 25th day of September laſt, ſhe, this deponent, was ordered to wait upon Lieutenant Bird, with a gentlewoman in his company, who behaved himſelf like a very quiet civil gentleman, who after being in bed to repoſe himſelf ſome time, Mr. Vernaſſel ſaid the ſaid Lieutenant deſired a bath, which ſhe this deponent underſtood was denied him; and that Vernaſſel was puſhed out of the room, and fell down ſtairs, but that Vernaſſel returned back, and double locked the ſaid Lieutenant's door on the outſide, as Vernaſſel told her. This deponent further ſaith, that there was no perſon in any bath at that time. And this deponent further ſaith, that ſome time after ſhe lighted Mrs. Seedwell, Vernaſſel and Loxton the deceaſed up ſtairs, Loxton having a cane in his hand,

and

and Vernaſſel a faggot-ſtick, but the candle falling, ſhe returned down ſtairs to light it. This deponent further ſaith, that Ann Smith, (a witneſs againſt the ſaid Lieutenant) was not in the houſe till ſhe was called by this deponent, which was after Loxton (the deceaſed) was dead, being then about four o'clock in the morning.

And this deponent further ſaith, that ſhe this deponent, together with another woman, wife to William Backer, were the only perſons in the ſaid Lieutenant's room, to examine and ſearch Mrs. Webſter, (the gentlewoman who came with the Lieutenant) whether ſhe had any penknife or other weapon, whereby to do any miſchief; the ſaid Mrs. Webſter then telling this deponent, that the ſaid Lieutenant was very much abuſed. And this deponent further ſaith, that ſhe this deponent having afterwards ſome diſcourſe with the aforeſaid Vernaſſel about the cane and faggot-ſtick before-mentioned, he, the ſaid Vernaſſel, told this deponent, that ſhe muſt not ſpeak any thing about the ſaid cane and faggot-ſtick, leſt the ſame ſhould prove a means to ſave the ſaid Lieutenant Bird's life.

And this deponent further ſaith, that ſhe this deponent was prevailed with by a ſtranger, under fair pretence, to go to drink ſome liquor, whereby ſhe this deponent became intoxicated, and thereby hindered from appearing at the trial of the ſaid Lieutenant Bird, to give teſtimony hereof, which ſhe this deponent deſigned otherwiſe to have done.

Powis.

CHARLES Broome, late of Spring Gardens, in the pariſh of St. Martin in the Fields, upon oath declares, that about this time twelvemonth, Samuel Loxton, deceaſed, came into his houſe in Spring Garden about the hours of nine or ten, in a white linen waiſtcoat, drawers and night-cap,

and called for a quartern of brandy, and drank to ſome company in the ſhop, and immediately after forced himſelf into the company of ſome gentlemen belonging to the guards, and a diſpute ariſing about the ſtate priſoners, he vindicating their cauſe, and juſtifying their hard uſage, the gentlemen forbad him their company, but he refuſed to go, and was for fighting with any of them, ſhowing the wounds he had received from ſome gentleman, ſwore he had thirty guineas damage, and ſwore he would have a hundred more before he had done with him. And I finding him bent for quarrelling, I perſuaded the gentlemen to quit my ſhop, leſt any miſchief ſhould enſue, which they did; and the company being gone, I perſuaded him to go home, and demanded my reckoning, which he told me he could not pay, ſwearing he had not above three-pence in his pocket, and would not pay.

Charles Brome.

Jur. coram me, 7 Feb. 1718.
Paul Margaret.

MARY Brome, wife of Charles Brome, of the pariſh of St. Andrew, Holborn, in the county of Middleſex, Gent. maketh oath, that one Samuel Loxton came into this deponent's huſband's houſe in Spring Garden, about twelve-months ſince, in a white linen waiſtcoat and drawers, and by his dreſs and appearance ſhewed himſelf in every reſpect to be mad, and that he intended miſchief, by his quarrelſome behaviour, with all the people in the houſe, and opening his cloaths ſhewed ſeveral wounds, and ſaid he had received thirty guineas for one of the ſaid wounds, and ſwore that his father-in-law would ſue the gentleman for a hundred guineas more, and that he did not value his wounds which he had, for he got money by it; and ſwore he cared not for them, for

he

he believed he ſhould die by the ſword, and went away, and refuſed to pay his reckoning.

Mary Brome.

Jur. 7 die Feb. 1718. *coram me*
Littleton Powis.

JOHN Johnſon, of the pariſh of St. James's within the liberty of Weſtminſter, Gent. maketh oath, that he is a neighbour to Mr. Seedwell, who keeps a Bagnio in Silver-ſtreet by Golden-Square; and hearing that one Loxton was killed there, he this deponent went to the Rummer Tavern the next day after the ſaid Loxton was dead, to enquire how that matter happened; and did find there one Vernaſſel, a waiter to the ſaid bagnio, who told this deponent, that Capt. Bird had the night before thrown him down ſtairs and broke four of his ribs; upon which this deponent aſked Vernaſſel who was his ſurgeon? he the ſaid Vernaſſel replied, he had no ſurgeon, but was a ſurgeon himſelf, and had ſet his own ribs, which this deponent believes to be impoſſible, and that the ſaid Vernaſſel only ſaid ſo to aggravate matters againſt the ſaid Capt. Bird. And this deponent further ſaith, that he knew the deceaſed Loxton, who was a drunken troubleſome man, and frequently abuſed the preſent government, and was, ſome time before his deceaſe, like to have been killed by a gentleman in the ſaid Bagnio (as it is in the neighbourhood generally reported) for his inſolent behaviour: that the ſaid Loxton has owned to this deponent, that he had two wives living at the ſame time; and Mr. Seedwell, who kept the ſaid Bagnio, would permit any man with a woman to lodge there, without aſking any queſtions who they were. And laſtly, this deponent further ſaith, that Mr. Boſwel, who was foreman of the jury upon the trial of the

ſaid

ſaid Captain Bird, was landlord to Mr. Seedwell. And that he this deponent is a perfect ſtranger to the ſaid Captain.

John Johnſon.

Jur. 7 die Feb. 1718.
coram R. Eyre.

The following Paper was delivered by Mr. Bird *to his Friends, the day before his Execution.*

IT will be expected that I ſhould ſay ſomething at this time, as to the fact I am going to ſuffer for.

I do not pretend to ſay, I did not kill the deceaſed; but humbly conceive, that both the laws of God and man will juſtify ſelf-defence; which I call God to witneſs, into whoſe arms of mercy I am now going to throw myſelf, was my caſe.

Unhappy is that gentleman who falls into ſuch hands; for there was not one evidence for the King that was not manifeſtly perjured, as I have faithfully ſet forth in my printed caſe, with all the juſtice a perſon expecting nothing leſs than death was capable of. And it is alſo as evident, that the proper evidences on my ſide were never called: I wiſh I could perſuade myſelf that miſmanagement did not proceed from the infidelity of my attorney, employed in my trial: for it appears but too evident, that he never made one regular ſtep towards my intereſt; and, I wiſh I could aver, that he did not arm my enemies againſt me.

After all this, his Majeſty, in his great wiſdom, thought fit to grant me a reprieve, and ordered me for tranſportation; but the reſtleſs malice of my enemies would not fix here.

The pretended widow of the deceaſed lodges an appeal againſt me. How ſhe had a right ſo to do,

I leave

I leave thoſe gentlemen learned in the law to determine: yet this, with her fallacious petition, found entrance to the Royal Fountain, and turned that former ſtream of mercy from me; cauſing his Majeſty to recede from his firſt decree of mercy, and order my execution; under which ſentence I ſtill, with all humility, ſubmit.

Another reflection, I am credibly informed, is caſt upon me, in order to make my load the greater; which is, that I was frequently viſited, during my confinement, and even ſince my conviction, by lewd and infamous women. I cannot ſay that I have not been viſited by divers women; but do not know them to be ſuch: ſome of them were relations, and other perſons who had buſineſs with me relating to my unhappy circumſtances. What will not malice invent!

There is one thing more which I omitted in my printed caſe, relating to my adverſary's evidence; depoſing, that the deceaſed Loxton fell without the door: which I declare ſolemnly, is utterly falſe; for what was done was in the room; I was not off from my bed when the accident happened; and when he dropped, he fell backwards upon the bed.

I might take notice of many more falſe aſperſions, but will omit them; having, I thank my God, forgiven them all.

In the next place, it will be expected that I ſay ſomething of my religion.

I declare, that I die a Proteſtant, and of the communion of the Church of England, whoſe doctrine teaches me to forgive my enemies, which ſincerely I do; humbly begging, at the ſame time, that all thoſe, who through inadvertency, heat of blood, or any juvenile folly, I have offended, will do the ſame by me.

As for the manifold reflections caſt upon me ſince my confinement; the pretended widow's violent proſecution;

ſecution, the Farrier's notoriouſly falſe affidavit, and all other offences committed againſt me, I heartily forgive them.

And to conclude, I wiſh all gentlemen would only weigh the fatal cauſe of my unhappy exit, and avoid all ſuch houſes where the ſcene of this misfortune was firſt laid; let me be an example to them, to avoid thoſe rocks I have ſplit upon; that they may, with leſs difficulty than I have found it, be able to compoſe their thoughts, (which I thank God I have done) through the aſſiſtance of his divine ſpirit, and ſink into a willing reſignation to his divine will.

EDWARD BIRD.

Account of the Trial of CATHERINE JONES, *for Bigamy; with the ſingular Reaſon of her being acquitted.*

AT the ſeſſions held at the Old Bailey, on the 5th of September, 1719, *Catherine Jones*, otherwiſe *Rowland*, was indicted for marrying Conſtantine Boone, in the month of April preceding, her former huſband, John Rowland, being then living.

In the courſe of the evidence it appeared that the priſoner had been married to John Rowland, by Dr. Talboy, on the 27th of April, 1713, at a private houſe in Blue-Ball-Alley in the Mint, Southwark; and that in the month of April, 1719, ſhe was married in the ſame houſe to Conſtantine Boone.

When the priſoner came to make her defence, ſhe did not heſitate to own both the marriages; but inſiſted that Boone was no man, and therefore could not be a huſband; that *he* (or *ſhe*, as the reader pleaſes,) was a monſter, an Hermaphrodite, and had been

been ſhewn as ſuch at Smithfield, Southwark-fair, and ſeveral other places.

In ſupport of this aſſertion ſeveral witneſſes were called; and one in particular depoſed, that he knew the mother of Boone, who dreſſed it in girl's cloaths, ſent it to ſchool as a girl, and had it inſtructed in needle-work till it was twelve years of age, after which it *turned man, and went to ſea.*

Boone alſo appeared in court, acknowledged the being an Hermaphrodite, and the having been ſhewn as ſuch.

It likewiſe appeared by Boone's own confeſſion, as well as by the teſtimony of ſeveral witneſſes, that the woman was more predominant in HER (for that is now the proper term) than the man; whereupon the jury acquitted the priſoner.

Such are the particulars of this uncommon caſe; what inducement an hermaphrodite could have to take a wife, we profeſs ourſelves unable to judge, and therefore leave the matter to the determination of the reader.

Account of the Trial of JOHN MATTHEWS, *a Printer, executed for High Treaſon.*

AT the ſeſſions held at the Old Bailey on the 30th of October, 1719, *John Matthews* was indicted for printing and publiſhing a ſeditious libel, intituled, *Ex Ore tuo te Judico; Vox Populi vox Dei;** containing many ſeditious and traiterous expreſſions,

* *Out of thy own mouth will I judge thee; The voice of the people is the voice of God.*

highly reflecting on the King and government, tending to alienate the minds of his Majeſty's ſubjects, to ſeduce them from their allegiance, and to promote rebellion.

To this indictment the priſoner pleaded Not Guilty; whereupon the council for the crown opened the cauſe, ſetting forth the pernicious conſequences of ſuch proceedings, as well as the illegality of them, as they are directly contrary to an act of parliament of the 12th of Queen Anne, for the better and more effectual ſecuring her Majeſty's perſon and government, and the Proteſtant ſucceſſion in the Illuſtrious Houſe of Hanover.

They alſo obſerved that though the priſoner had been before taken into cuſtody for the like ſeditious practices, and had been ſet at liberty merely through the lenity of the government, yet neither that indulgence, nor the danger of future puniſhment had been ſufficient to deter him, ſo ſtrong was his propenſity to treaſonable proceedings.

They then proceeded to call their evidences, the firſt of whom was Laurence Vezey, who depoſed, that he being journeyman to the priſoner's mother, and that his brother being apprehenſive of his pronenes ſ to ſuch practices, in order to prevent him therefrom, he ordered him to keep the key of the printing-houſe, and the priſoner brought the form containing part of the aforeſaid book to the preſs, and bid him pull a proof of it, which he did, and that the priſoner afterwards came down to him and ſaid that the pages had been tranſpoſed, but he had now ſet them in their right places, and after that he pulled him another proof; that then he deſired him, this evidence, to come betimes in the morning to work them off, and told him that he himſelf would take care of the paper, that every thing ſhould be ready; that he importuned him ſeveral times to do it, and that one morning he went pretty early in order ſo to do,

and

and knocked at the door, deſigning to call up William Harper, who was the apprentice; but the priſoner came to the door himſelf, and let him in, and called Harper up, who aſſiſted this evidence in working them off, the priſoner himſelf taking off the ſheets at the preſs for the greater expedition; and that when they were done, the priſoner carried them down ſtairs, and paid this evidence for working them off.

William Harper, the apprentice, acknowledged that he aſſiſted Vezey in working off the ſheets at the preſs, and that the priſoner took off the ſheets as they were worked. He likewiſe added, that he himſelf ſaw the priſoner compoſing the matter * from the manuſcript copy.

His Majeſty's meſſengers depoſed, that having received orders to apprehend the priſoner, and ſeize the ſaid libels, they did ſo; and on ſearching, found a conſiderable number of them in a room which Mr. Matthews acknowledged to be his room, and likewiſe found in his pocket two of the ſaid papers.† That when they had the priſoner in cuſtody, they told him that the only effectual way to make his peace with the Miniſters of State, was to make an ingenuous and candid confeſſion who it was that employed him; to which he replied, "G—d d—n "them" (meaning his employers) "they were a par-"cel of worthleſs dogs, who were good for nothing "but over a pot of ale;" and that the meſſengers continuing to urge him to make a full diſcovery,

* "Compoſing the matter" is a technical term among printers, which ſignifies picking up the letters, and putting them in proper order for printing.

† Theſe papers being produced in Court, appeared to be the proofs mentioned by the evidence Vezey; the one that wherein the pages were tranſpoſed, and the other a proof, or reviſe, in which the pages were ſet right, and the faults marked.

he ſaid that "He knew very well what he had to do, "that he had nothing now to do but to let his money "fly, and to get a good jury."

A paper was produced in court, written by the priſoner's brother, and ſigned by the priſoner, in which he owned the fact, declared who had employed him to print the ſaid libel, and begged pardon for his offence: this paper had been carried by the brother to one of the ſecretaries of ſtate, in order to procure favour for the priſoner.

An evidence depoſed, that the priſoner having been ſent for to the Secretary of State's Office, and examined reſpecting the abovementioned paper, he would not directly own that it was ſent by his order or direction, or that it was ſubſcribed by himſelf; but prevaricated greatly in his anſwers to ſuch queſtions as were aſked him.

Mr. Matthews, the priſoner's brother, being called and ſhewn the paper, was aſked if he did not carry that paper to the Secretary of ſtate, as a paper ſigned by his brother; to which he anſwered in the affirmative; but declined ſwearing that his brother's name, with which it was ſigned, was written by the priſoner, becauſe he ſaid he did not ſee him write it; but at laſt being ſtrictly interrogated about it, and taking the paper in his hand, and looking upon it again, depoſed, that he did believe the priſoner's name was written by the priſoner's own hand, and that he did carry it to the Secretary of State as ſuch.

The priſoner in his defence had very little to ſay more than a bare denial of the fact: indeed he endeavoured to contradict that part of the evidence which related to the ſaid papers being found in his cuſtody, alledging, that it was a room which was a paſſage into another, and ſo might as well belong to any body elſe as to him, and alſo to leſſen the credit of Vezey's evidence, by calling ſome perſons as to his character; but failing in that point, his council laboured

boured in his caſe as far as the matter would bear againſt ſuch poſitive evidence; to this the council for the King replied, and the court having ſummed up the evidence on both ſides, the jury found him guilty of the high treaſon charged in the indictment, and he received ſentence of death.

After his condemnation he was viſited by the Reverend Mr. Skerret, who alſo attended him at the place of execution, whither he was conveyed with the utmoſt appearance of unconcern, and where he delivered a paper which was communicated to the Secretary of State.

This paper was not publiſhed, but it was given out that it contained Mr. Matthews's declaration that he died in a firm and true allegiance to King George; in perfect charity with all mankind, and a member of the Church of England.

It does not appear from any thing in the preceding trial, though this youth printed the above-mentioned paper, that he publiſhed it, or that it was ever publiſhed; and yet he was indicted for printing and publiſhing of it.—We cannot but think his caſe a very hard one; and at the ſame time we congratulate our countrymen, that through the intrepid and manly behaviour of Mr. WILKES, it has been determined in a ſolemn and judicial manner, that the houſes and perſons of ENGLISHMEN are no longer ſubject to be ſearched, in conſequence of the arbitrary mandate of a Secretary of State!

Mr. Matthews was executed at Tyburn, (being only nineteen years of age) on the 6th of November, 1719.

Account

Account of the Trial and Life of THOMAS BUTLER, *Esq; who was executed for a High-way-Robbery.*

AT the ſeſſions held at the Old Bailey in the month of January 1720, *Thomas Butler*, alias *Becket*, Eſq. was indicted for aſſaulting Sir Juſtinian Iſham on the highway, putting him in fear, and taking from him a gold watch, a ſilk night-gown, and ſix Holland ſhirts: and he was a ſecond time indicted for aſſaulting John Whitacre on the highway, putting him in fear, and taking from him a ſilver watch, a ſword, and eight guineas, his own property, and 14l. 8s. 6d. the money of Edward Freeman.

Mr. Whitacre depoſed, that as he was travelling on the road near Dunſtable in Hertfordſhire, in company with Sir Juſtinian Iſham, they were attacked by three men, one of whom took Sir Juſtinian out of his chariot, and another, whom he believed to be the priſoner, took him (this deponent) out.

Mr. Whitacre had hid his watch under the ſeat of the chariot, but the priſoner ſearched till he found it. They took from Sir Juſtinian his pocket-book, and then were going to break open his trunk, but Mr. Whitacre giving them the key, they unlocked it, and took out the things mentioned in the indictment. When the priſoner was taken, he acknowledged that he had Sir Juſtinian's watch and night-gown, and Mr. Whitacre's watch and ring, for his ſhare of the booty, and that he kept the gown for his own wearing. This gown was found in the priſoner's lodging, and produced in court.

About half a year after the robbery the priſoner was taken, when he confeſſed to Mr. Oſgood who appeared

appeared as an evidence, all the particulars of the robbery, ſaying that it was committed by himſelf and Jack —— who paſſed for his footman, and was in Ireland at the time of this trial, and one Smith who had been hanged at Maidſtone ſome time before.

The priſoner's landlady depoſed, that he lodged at her houſe near Red-Lion-Square, Holborn, went by the name of Squire Becket, wore black velvet cloaths, laced ruffles, and every thing elſe anſwerable thereto.

The jury having found Butler guilty of both the indictments, he received ſentence of death; and while he lay under condemnation, he gave the following account of himſelf.

" I am now about forty-two years old. I was " born in Ireland. My father was an officer there in " King James's army, and I followed him to France. " At the time of the rebellion in Scotland, I was ſent " to Paris to aſſiſt a perſon of honour, by making " myſelf a ſpy in the late Duke of Ormond's family; " for which ſervice I was for ſome time afterwards " allowed 20l. a year from his Majeſty. But by this " I loſt the favour of my friends and relations, who " eſpouſed a different intereſt. From Paris I went " into Holland, in hopes of improving my fortune; " but, inſtead of that, I ſpent moſt of the little mo- " ney I carried with me, and then came to England.

" And here I commenced highwayman. I and my " man Jack committed a vaſt number of robberies " in Kent and Eſſex. I always affected to live gene- " rouſly upon what we got with ſo much hazard. I " hired lodgings genteelly furniſhed, ſometimes in " London, and ſometimes in a conſiderable country- " town. My dreſs was commonly rich, I never " wanted good horſes, and at proper times my com- " panion Jack wore a livery, and attended me in

" quality

" quality of a footman; and thus wherever I came I " appeared as a man of fortune.——I once robbed a " gentleman of a medal, and a valuable picture, which " are the only things I wiſh had been reſtored to the " owner; but the picture I loſt, and the medal I pre- " ſented to a lady in Ireland.——It has been reported, " that I have had eight wives; but the report is en- " tirely falſe, for I was never lawfully married to one. " ——I profeſs myſelf a member of the Church of " Rome; but I have always been a faithful ſubject to " his preſent Majeſty, and have received ſeveral " wounds in his ſervice."

To this account the Ordinary adds, that he appeared penitent, and received the ſacrament from one of his own perſuaſion; and apprehends, that though he ſaid he was never lawfully married, yet he might have been married according to the rites of the Church of England, but, being a Roman Catholic, did not eſteem ſuch marriages lawful.

We ſhall ſeldom hear of a highwayman who has lived a life of ſo much apparent gaiety as Butler did, yet it ended in an infamous death at Tyburn, on the 8th of February 1720—1.

Abſtract of the Trial of WILLIAM ROBINS, *who was charged with having committed a Rape, and acquitted.*

AS readers of this work will reaſonably expect matters of entertainment as well as inſtruction, we inſert the following trial for the ſake of the ſingularity of the mother's evidence.

At the ſeſſions held at the Old Bailey in January, 1720, William Robins, of St. James's, Weſtminſter, was

was indicted for aſſaulting, raviſhing, and carnally knowing Mary Tabor, a girl of about ſeven years of age, on the 24th of December preceding.

The child's mother gave her depoſition in the following words. "My huſband took the child out "with him on Chriſtmas Eve, and when ſhe came "home ſhe ſeemed to be very uneaſy, and every now "and then would be wriggling her backſide about. "Where have you been huſſey? ſays I; why, ſays "ſhe, I have been ſitting upon our taylor's ſhop-"board; ſo ſhe ſaid no more to me then; but on "Monday ſhe complained that ſhe ſmarted ſadly, and "could not make water, and't pleaſe your lordſhip, "and ſo I wondered what a dickens was the matter, "though little did I dream how the poor thing had "been ſerved. But however ſhe grew worſe on Tueſ-"day, and then I began to examine the caſe, and "found her very much out of ſorts. Ye young bag-"gage you, ſays I, how comes this about? why, ſays "ſhe, William, our Taylor, put his finger into where "I make water.—And did he put nothing elſe there, "huſſey, ſays I?—Yes ſays ſhe, the thing that he "makes water with."

The father of the child depoſed, that the priſoner had confeſſed to him that the child had been with him on Chriſtmas Eve, but denied that he did any thing to her. Several other evidences depoſed, that the priſoner's ſtall was next the ſtreet, that only one perſon could work in it at a time, that it had a flap to ſhut up, that the child was well before the day mentioned in the indictment, and that no marks were found on her linen till afterwards.

Elizabeth Smith depoſed, that the child's private parts were ſwelled and rent downwards, and that force had been uſed with her.

Three ſurgeons depoſed that they found the parts very ſore, and much bruiſed; that the girl had

a running, which ſtill continued, that there had been a penetration, and ſhe had been forced by a man.

On the contrary, two other ſurgeons depoſed, that it did not appear that a penetration had been made by a man, for the paſſage was not large enough. One of theſe gentlemen tried to paſs his probe, but it would not go up: they ſaid that the girl was not lacerated, though there was a running; but that they had known the like to be occaſioned by a child's riding on a horſe.

A woman that lived oppoſite the priſoner, depoſed, that his ſhop being next the ſtreet, was as public as the highway, and ſome perſon or other was always in it. She alſo ſaid, that on Chriſtmas Eve the priſoner was hard at work to finiſh a coat againſt Chriſtmas-day, and worked till midnight.

Five or ſix perſons were called, who gave the priſoner the character of an honeſt civil man, though one of them owned that he would run after the girls a little. The jury brought him in Not Guilty.

The Trials of WILLIAM SPIGGOT, THOMAS PHILLIPS, *alias* CROSS, WILLIAM BURROUGHS, *and* WILLIAM HEATER, *for Highway-Robberies.*

IN the courſe of the following trials there are ſo many witneſſes examined, that it will be impoſſible to throw the whole into the form of a narrative, and at the ſame time leave the ſtory clear and intelligible; it will therefore be proper to give the depoſitions of the witneſſes in their own words.

Several bills of indictment having been found by the Grand Jury againſt *William Spiggot*, and *Thomas Phillips*,

Phillips, for robberies on the highway, they were brought to the bar to be arraigned, when both of them declared that they would not plead till the court had ordered the horſes, furniture, money, and other things which were taken from them when they were apprehended to be returned.

The court informed them that this could not be granted; and, for their ſatisfaction, ordered the clerk to read the following clauſe in an act made in the 4th and 5th of King William and Queen Mary, intituled, "An act for encouraging the apprehending "of highwaymen."

"And it is hereby further enacted, That all and "every perſon or perſons, who ſhall take, appre-"hend, proſecute, or commit ſuch robber or rob-"bers, as aforeſaid, as a farther reward, ſhall have "and enjoy to his and their proper uſe and behoof, "the horſe, furniture and arms, money and other "goods of the ſaid robber or robbers, that ſhall be "taken with him or them.

"And their Majeſties right or title, bodies politic "or corporate, or the right or title thereunto of the "lord of any manor, liberty or franchiſe, or of him "or them, lending or letting the ſame to hire, to any "ſuch robber or robbers, in any wiſe notwithſtand-"ing.

"Provided always, that this clauſe, or any thing "therein contained, ſhall not be conſtrued to extend "to take away the right of any perſon or perſons "to ſuch horſes, furniture and arms, money and "goods, from whom the ſame were before felonioufly "taken."

But notwithſtanding this, the priſoners ſtill refuſed to plead, and the court (having in vain acquainted them with the ill effects of their refuſal, and endeavoured to diſſuade them from their obſtinacy) gave orders, that the judgment ſhould be read, which the law has appointed to be executed upon ſuch priſo-

ners, as ſhall ſtand mute, or refuſe to plead to their indictment. The judgment was to the following effect: "That the priſoner ſhall be ſent to the priſon "from whence he came, and put into a mean room, "ſtopped from the light, and ſhall there be laid on "the bare ground, without any litter, ſtraw or other "covering, and without any garment about him, ex-"cept ſomething to hide his privy members. He "ſhall lie upon his back, his head ſhall be covered, "and his feet ſhall be bare. One of his arms ſhall "be drawn with a cord to one ſide of the room, and "the other arm to the other ſide; and his legs ſhall "be ſerved in the like manner. Then there ſhall be "laid upon his body, as much iron or ſtone, as he "can bear, and more. And the firſt day after he "ſhall have three morſels of barley bread, without "any drink; and the ſecond day, he ſhall be allow-"ed to drink as much as he can, at three times, of the "water that is next the priſon-door, except run-"ning water, without any bread; and this ſhall be "his diet till he dies: and he, againſt whom this "judgment ſhall be given, forfeits his goods to the "King."

This having no effect on the priſoners, the executioner (as is uſual in ſuch caſes) was ordered to tie their thumbs together, and draw the cord as tight as he was able; which was immediately done; but neither this, nor all the admonitions of the court, being ſufficient to bring them to plead, they were ſentenced to be preſſed to death.

Purſuant to this judgment, they were carried back to Newgate. As ſoon as they entered the Preſs-room, Phillips deſired that he might return to the bar and plead; but Spiggot continuing obſtinate was put under the preſs. He bore 350 pounds weight for half an hour, but then 50 more being added, he begged that he might be carried back to plead, which favour was granted.

William

William Spiggot, and Thomas Phillips were indicted for aſſaulting John Watkins on the highway, putting him in fear, and taking from him a ſilver watch, a Holland gown, a pair of ſtays, a ſcarlet riding-hood, and ſeveral other goods, to the value of 200l. and 5l. in money, on the 12th of November, 1720.

They were a ſecond time indicted with William Heater, they, for aſſaulting John Turner on the highway, putting him in fear, and taking from him five guineas, the money of the ſaid John Turner, and a box, a gold watch, twelve Holland ſhirts, two pair of laced ruffles, four turnovers, two cambrick boſoms, two pair of ſtockings, a hat, a perriwig, and twelve guineas, the goods and money of Neal Sheldon, Eſq; on the firſt day of November laſt; and William Heater, as acceſſary, in harbouring them, and receiving the ſame goods, knowing them to be ſtolen.

Firſt Indictment.

JOHN Watkins. As I was going to Monmouth, with my pack-horſes, between Brentford and Smallberry-green, I obſerved that Phillips followed and watched me; and, when I came to Biſhopſgrove, on Hounſlow-heath, Spiggot, Phillips, and another rode up to me. Spiggot clapped a piſtol to my breaſt, bade me ſtand, took five pounds and my watch from me; and ſwore, if I would not tell him which horſe the money was on, he would kill them all. As for Phillips, he ſtopped the Oſtler, who was with me, and took one of the Pack-horſes, with the goods, while the other perſon ſecured my man. I loſt above two hundred pounds in all. I am certain that the priſoners, Phillips and Spiggot, were two of the three that robbed me. I knew Spiggot a great many years ago, and had ſeen him in Monmouth Jail.

Second

Second Indictment.

JOHN Turner. I was robbed near Tyburn, on the firſt of November, by five men, who were diſguiſed with maſks. Four of them were on horſeback, and the other was on foot. They took Mr. Sheldon's box out of the waggon, and carried it away, and I following them, they knocked me down, and went into my waggon again, but took nothing more out of it; but however, one of them being on foot, they took my mare away, and ſo they all rode off.

Mr. Sheldon. Intending to leave Buckinghamſhire, and thinking my portmanteau too heavy for my man to carry behind him, I ſent it up with John Turner, the Wendover Carrier. The wig, which I have now in my hand, was part of the goods that were in the box (or portmanteau) which I delivered to Mr. Turner.

Mr. Bryan. I went with Mr. Merrit, to ſearch Spiggot's lodgings, and there found the wig that Mr. Sheldon has now produced.

Mr. Merrit. We found that and ſeveral other things, ſome of which were taken out of the Portſmouth waggon, and others were taken from perſons that were robbed under Tyburn.

Edward Plummer. I know this to be Mr. Sheldon's wig, I altered it for him.

John Merrit again. Mr. Watkins came to me, and ſaid he was ruined; for three highwaymen had robbed him on Hounſlow-heath, had taken away his money, his watch, his goods, and a pack-horſe. Upon this, I made enquiry after the priſoners, and finding where they had hired horſes, I deſired the perſon to ſtop them, or give me notice if they came to hire any more, and I would reward him. I dogged William Heater with the horſes from Finſbury, to the George in Long-acre, and thence to Mr. Rowlet's in the

Broadway

Broadway, Weſtminſter, where he ſet them up. I and ſome others placed ourſelves awhile in a houſe, oppoſite to the inn; but, after a little conſultation, believing that the Inn-keeper, Mr. Rowlet, was an honeſt man, we went over and acquainted him with our buſineſs. He told us, that we ſhould not only be welcome to ſit up in his houſe to watch, but that he would aſſiſt us, which he did: and, about ten o'clock next morning, Spiggot, Phillips, and Joſeph Lindſey came, and went into the ſtable, where, after a ſtrong reſiſtance, we took them all.

John Rowlet. I followed Spiggot into the ſtable, kicked up his heels, and ſcuffled with him for near half an hour. He ſhot me through the left ſhoulder, and got me down; but others coming to help me, they took him off, and then he offered me his ſword, and ſaid he had done.

Mr. Bryan again. I went with Mr. Merrit to Finſbury, and from thence we dogged William Heater with the horſes to Weſtminſter——Phillips flaſhed a piſtol at me, in the ſtable, but it did not go off. I was then knocked down, and getting up again, I ſaw Mr. Rowlet was ſtruggling on the ground with Spiggot, and had been wounded by him. Spiggot's ſword was half drawn, I drew it quite, and made a thruſt at him; but unluckily miſt my aim, and run it into a Butcher's leg.——Spiggot ſwore, that he would kill a thouſand, before he would be taken.

Mr. Hill, the conſtable. Mr. Merrit came to me, with the Recorder's warrant, and I went with him to Mr. Burton's, and then croſſed over to Mr. Rowlet's. Lindſey (who is made an evidence) came in there about eight in the morning, and ſome of our company were for ſecuring him firſt; but others were of opinion, that it might prevent their taking the others, and ſo we agreed to ſtay till we could meet with them all three together, which proved to be about

ten

ten o'clock the ſame morning. They all went into the ſtable, and we followed them. Phillips ſnapped at me with a muſquetoon, loaded with three bullets; but it only flaſhed in the pan.

—— Murrel, a boy. I was one of them that dogged Heater; he went from Finſbury to Long-acre, with two horſes, and from thence he took another, and had them all three together to Weſtminſter.

John Pritchard. Mr. Merrit ſhewed me the recorder's warrant. I went with him to apprehend the priſoner. Phillips ſnapped a piſtol at us, but it did not go off. We afterwards took a blunderbuſs from him. Spiggot fired two piſtols, and wounded Mr. Rowlet.

James Leaton. Spiggot, Phillips, and Lindſey came to take horſe at Weſtminſter, and Heater came with them. Phillips ſnapped a piſtol, but Lindſey ſurrendered himſelf to me.

Joſeph Lindſey.—Spiggot, Phillips, Coltis, Tyſon, and I committed this robbery. Heater uſed to hire horſes, and carry them backward and forward for us. He received ſome buttons and mohair, which he knew to be ſtolen; but they are not mentioned in this indictment.

Richard Burton. Spiggot bought a horſe of me; and Heater was with him then, and ſaid that he was his ſervant; but when they were taken, he denied he belonged to them.

Anthony Merrit. Heater ſeveral times has had Phillips's horſe to look after, and uſed to fetch ſacks, and put them under the ſaddles, and have the goods ſold from his houſe.

Spiggot and Phillips had nothing material to ſay in their own defence; but they both declared, that Heater was innocent of the matter, and acted only as a porter, in fetching and carrying their horſes.

There

There not being ſufficient evidence to convict Heater, he was acquitted; the jury found the other two priſoners guilty of both indictments. Death.

William Spiggot was a third time indicted with William Burroughs, for aſſaulting Charles Sybbald, on the highway, putting him in fear, and taking from him fifteen guineas, and ten ſhillings, on the 25th of Auguſt laſt.

Joſeph Lindſey. About laſt Bartholomew-tide, I and the priſoners met Mr. Sybbald, and his man, upon Finchley-common; one of them was on a white horſe, and the other on a grey: we ſtopt them, and Spiggot took a purſe from the proſecutor, with fifteen guineas in it, as I am ſince informed, though he let me know but of ſix and a half, ſo that he ſunk the reſt.

Charles Sybbald. On the 25th of Auguſt, I and my man were aſſaulted on Finchley-common, by three men on horſeback; one of them ſecured my ſervant, and the two others came up to me (one on each ſide) and, preſenting their piſtols, made me diſmount; when Lindſey taking my horſe's bridle off, turned him looſe, and the other two rifled me, one beginning at my head, and the other about my middle, and ſo ſearched downward; I loſt fifteen guineas, ſome ſilver and ſome writings. They were tall men, and like the priſoners, but I cannot ſwear poſitively to either of them, but I had a plain view of Lindſey, and remember his voice. One of the others, whom I take to be Burroughs, had a long wig on, with the ends of it in his mouth, and the third, who I believe (though I cannot be certain) was Spiggot, had the cape of his coat buttoned up about his chin.

The priſoners denied that they knew any thing of the fact.

—— Burroughs, (brother to William Burroughs the priſoner.)—Lindſey's wife came and told me, that my brother had been in the country with her huſband, and was returned to town raving mad. So I took him home to my mother's for a fortnight, and was forced to have men to ſit up with him, and at laſt I got him into Bedlam, where he has been ever ſince my Lord-Mayor's Day.

The jury found them both guilty. Death.

But it afterwards appearing that Burroughs was lunatic, he obtained his Majeſty's pardon.

Thomas Philips, alias Croſs, was thirty three years old, when he made his exit at Tyburn. He was born in Briſtol, was never taught to write or read, nor put apprentice, but went to ſea when very young. He ſerved in the war againſt France, and was in the Dover Man of War when Admiral Byng * attacked the Spaniſh fleet in the Mediterranean, after which they took three Spaniſh ſhips in the mouth of Cadiz.

He was the moſt audacious rogue that ever ſtretched a halter. He took a particular pride in recounting his villainies: he ſwore, that once about ten o'clock at night, he and Spiggot robbed a hundred paſſengers, whom they took out of ſeveral waggons, and having bound them, ſet them all a-row in the road. By no means would he mind any thing that the Ordinary of Newgate ſaid to him, but would ſwear and curſe while the others were at prayers, and ſing a reprobate ballad, when the reſt were humming over a penitential ſtave of Sternhold and Hopkins. He would not willingly ſuffer any body that was near him to read or pray, or even look ſerious, and eſpecially towards the laſt; for, as then the reſt of the priſoners grew more devout, he grew more wicked. Sometimes he would ridicule them in the midſt

* Afterwards Lord Torrington, father of the late unhappy Admiral.

of their duty, and at other times, without any provocation, would fall into violent paſſions, beating ſome and kicking others up and down the condemned-hold, and venting the moſt horrid expreſſions imaginable. In fine, he grew ſo inſufferably outrageous, that the reſt of the priſoners unanimouſly deſired that he might be removed from them. He continued obſtinate to the laſt, and yet, when he was under the gallows, declared, "That he did not "fear to die, for he was in no doubt of going to "Heaven."

William Spiggot was 29 years old at the time of his death. He was born at Hereford, in which city his father was an Oſtler, and he himſelf was put apprentice to a Cabinet-maker. He ſaid, that he ſerved his ſeven years faithfully, and came out of his time about eight years ago, though he had been married above ten years, and had three children living, his eldeſt daughter being between ſeven and eight years old, and his ſon about ſix.

Before he was put into the preſs, the Ordinary of Newgate endeavoured to diſſuade him from haſtening his own death in ſuch a manner, and thereby depriving himſelf of that time which the law allowed him to repent in, to which he only anſwered: "If you come "to take care of my ſoul, I ſhall regard you, but if "you come about my body, I muſt deſire to be ex-"cuſed, for I cannot hear one word."

At the next viſit the Chaplain found him lying in the vault, upon the bare ground, with 350 pounds weight upon his breaſt, and then prayed by him, and at ſeveral times aſked him why he would hazard his ſoul by ſuch an obſtinate kind of ſelf-murder. But all the anſwer that he made was, "Pray for me, "Pray for me." He ſometimes lay ſilent under the preſſure, as if inſenſible of pain, and then again would fetch his breath very quick and ſhort. Se-

veral times he complained that they had lain a cruel weight upon his face, though it was covered with nothing but a thin cloth, which was afterwards removed and laid more light and hollow, yet he ſtill complained of the prodigious weight upon his face, which might be cauſed by the blood being forced up thither, and preſſing the veins as violently as if the force had been externally on his face.

When he had remained half an hour under this load, and fifty pounds weight more laid on, being in all four hundred, he told thoſe that attended him he would plead.

Immediately the weights were at once taken off, the cords cut aſunder, and he was raiſed up by two men, and ſome brandy was put into his mouth to revive him, and ſo he was carried to take his trial.

He was very faint, and almoſt ſpeechleſs for two days, and then he ſeemed to recover ſtrength for a little time, but afterwards he grew worſe, and deſired to receive the ſacrament, as thinking he ſhould hardly live 'till execution-day. But before that time came he again recovered ſtrength, and then he conſtantly attended the prayers in the chapel twice a day.

The reaſons he gave for enduring the preſs, were, that his effects might be preſerved for the good of his family, that none might reproach his children by telling them their father was hanged, and that Joſeph Lindſey might not triumph in ſaying, he had ſent him to Tyburn. He ſeemed to be much incenſed againſt this Lindſey, for, ſays he, "I was once wounded, "and in danger of my life, by reſcuing him when he "was near being taken, and yet he afterwards made "himſelf an evidence againſt me."

Spiggot would ſometimes wiſh he had died in the preſs, for he ſaid, that, before he was taken out, he was fallen into a kind of ſlumber, and had hardly any ſenſe of pain left; though at other times he

appeared

appeared glad that he had not ſhortened that time by his obſtinacy, which otherwiſe the law allowed him for repentance.

He ſaid he could not remember that he ever ſhed a tear in his life but once, and that was ſince his condemnation, at his final parting with his little ſon; but that however, he thought himſelf as ſincerely penitent as thoſe who ſhewed their ſorrow by their tears.

He confeſt that he had been guilty of the greateſt ſins he could commit except murder; and that it was in vain to mention his numerous robberies on the high-way, which were perhaps about a hundred; that he chiefly robbed upon Hounſlow-heath, ſometimes towards Kingſton, and ſometimes on the road to Ware; and that there was alſo one Tyſon, and one Coltis or Colthouſe, who belonged to their gang, but not yet taken.

He ſaid that he did not deſire to live, for he could hardly fetch his breath, and could only be a weak and unhealthy man. He often complained, that Thomas Phillips, alias Croſs, was ſo obdurate in wickedneſs, that he not only refuſed to join with them in prayers, but would beat out their candles and rattle his irons, whenever they prepared to perform their duty.

Spiggot and Phillips were executed at Tyburn, on the 8th of February, 1720—1.

The

The Trials of SARAH JOHNSON *and* MARY PRICE, *for Privately Stealing.*

AT the ſeſſions held at the Old Bailey in the month of May, 1721, *Sarah Johnſon* and *Mary Price* were indicted for ſtealing four guineas, privately from the perſon of Nicholas Higgins, on the 12th of May 1721.

The proſecutor depoſed, that he met the priſoners at the corner of Pall-Mall, about twelve o'clock at night; that Mary Price thruſting her hand into his breeches, he clapped his hand to his fob to ſecure the money he had there; but that the four guineas he loſt were in his ſide pocket; that Johnſon then came up, and behaved in the ſame manner Price had done, and then they both went off. They were ſcarcely gone from him before he miſſed his money, on which he followed them, ſeized Johnſon, and calling out to the watchmen, they ſtopped Price.

He ſwore he had the guineas in his pocket about half an hour before this, at Richard's Coffee-Houſe, near Temple-Bar, from whence a friend came with him, from whom he had but juſt parted when he met the priſoners; that he met no other perſon by the way who could pick his pocket, that he was not in liquor at the time, and that the watchman who came to his aſſiſtance carried both himſelf, and the priſoners to the round-houſe.

The watchman confirmed that part of Mr. Higgins's depoſition in which he was concerned, and added, that he had heretofore taken the priſoners into cuſtody for night-walking.

One

One Mr. Trenworth depoſed, that he ſaw Mr. Higgins had gold at the Coffee-Houſe, that he came with him from thence, and that he was not drunk.

The defence which Sarah Johnſon made was in the following words:

"Moll Price and I had been to Chelſea, and as "we were going home together, ſhe ſtopt to tie her "garter, at which time the proſecutor came by, and "put his hands up her coats. "Pray, Sir," ſays I, "be civil to the gentlewoman, for ſhe's with child;" "whereupon what does he do, but comes to me, and "whips his hands under my coats.—"Blood!" ſays "he, "you're ſo fat, a body can't feel what you have "got;" whereupon he goes to Moll again, and ſhoves "her up againſt a door, and begun to do ſo and "ſo with her; but ſomebody opening the door within-"ſide, they had much ado to ſave themſelves from "tumbling into the houſe together. Then he forced "her to another door, and another after that, and "would fain have been at it; but, becauſe neither "ſhe nor I would let him, he called the watch, and "ſwore we had picked his pocket, which is as falſe "as the child that's unborn; but he was very drunk, "and would have had to do with a woman in the "Round-houſe."

As it appeared that both of them could not take the four guineas from his perſon privately, as laid in the indictment, the jury found Mary Price guilty of felony only, for which ſhe was ordered to be tranſported; but Sarah Johnſon they found guilty of the indictment, and ſhe received ſentence of death accordingly. She indeed pleaded her belly, but a jury of matrons being impannelled, they found her not quick with child; though ſhe was afterwards reprieved.

An

An Account of the Trials of BARBARA SPENCER, ALICE HALL *and* ELIZABETH BRAY, *for Coining.*

AT the ſeſſions held at the Old Bailey in May, 1721, *Barbara Spencer*, *Alice Hall*, alias *Complin*, and *Elizabeth Bray*, were indicted for high-treaſon, in counterfeiting the current coin of this kingdom, on the 13th of April preceeding.

Elizabeth Miles depoſed, that on Wedneſday the 12th of April, Spencer and herſelf went to Hall's lodgings, that Hall was not at home, but they found Bray there, who gave them liquor till they were both fuddled, and then perſuaded them to lie down on the bed, and not go away till ſhe, (who was going out) returned: that accordingly they laid down and fell aſleep, and in a little time Bray returned back and waked them, and about noon Alice Hall and another woman came home.

They remained at theſe lodgings all night, and the next morning went all together, and drank at a brandy-ſhop in Biſhopſgate-Street, where Spencer called Hall aſide, and told her that ſhe had no more bad money; to which Hall replied, "you may go "home and make ſome; and if you have occaſion "for me, I'll meet you at the Bell and Horſe-ſhoe in "this ſtreet, at two in the afternoon."

Accordingly they met in the afternoon, when Hall brought the metal with her; and after they had drank together for ſome time, ſhe bade Spencer, Bray, and this deponent go to her room, and make a fire, and ſhe would be with them as ſoon as it was lighted. In their way Bray went into a ſhop,

ſhop, and bought the materials to make the molds: as ſoon as the fire was made Hall came home, locked the door and melted and refined the metal, while Spencer and Bray made the molds, and when they were done, Spencer caſt forty counterfeit ſhillings, and gave Hall and Bray half a crown each for their trouble.

This being done, ſhe delivered the flaſks or molds, with a ſhilling in them, to this evidence to carry away, for fear ſhe ſhould be taken up, as being ſuſpected for a perſon dealing that way; "For," ſaid ſhe, "if "they were found in the houſe, it would be enough "to take away twenty peoples lives." She left the ladle and file in a cupboard over the door in Hall's room, for ſhe ſaid they could not make any thing of them if they found them: five of the forty ſhillings then made ſhe kept, and gave the reſt, wrapped up in a paper, to this deponent.

Beſides the above evidence of Miles there were other witneſſes who made it appear that Spencer had the five counterfeit ſhillings about her, and that when ſhe was taken ſhe offered three ſeveral perſons thirty pounds a-piece to let her eſcape: whereupon the jury acquitted Hall and Bray, and found Barbara Spencer guilty of the indictment, for which ſhe received ſentence to be burnt at a ſtake.

Barbara Spencer, by her own account, was born in the pariſh of St. Giles's without Cripplegate. She was naturally of a violent temper, and her mother was too indulgent to curb her as ſhe ought to have done. To this vicious fondneſs it was, that the daughter imputed all her misfortunes. When her mother found ſhe grew too headſtrong to be managed any longer at home, ſhe put her out an apprentice to a mantua-maker. Her miſtreſs, having known her from an infant, was little leſs indulgent to her than her mother had been. The girl had ſerved two years, when, upon a rough word from her miſ-

treſs, ſhe ran home again to her mother, and gave her a long account of the cruel uſage ſhe had met with. The mother, who then kept a brandy ſhop, taking her child's part, would not let her go back to her old miſtreſs, and thinking, beſides, that ſhe might be of ſervice to her in the ſhop, reſolved to keep her at home.

In a little time ſhe acquainted her mother, that ſhe would live no longer with her, except ſhe kept a maid, and a maid was hired accordingly; but they two happening to quarrel, and the mother interpoſing, the daughter reſented it, and left her again. The old woman then took an alehouſe in Cripplegate pariſh, where ſhe had not been long, before her daughter came to her a ſecond time; but in a little time after this, the malefactors being to be hanged at Tyburn, Barbara would needs go and ſee the execution. Her mother, endeavouring to prevent her, ſtruck her, upon which ſhe left the houſe, and meeting with an acquaintance, they went to Tyburn together, and from thence to a houſe by St. Giles's-Pound, where, complaining of her mother's uſage, and vowing never to return home, ſhe was encouraged in that reſolution by the company, who gave her hopes of living much more to her ſatisfaction, if ſhe would but come into their meaſures.—She quickly complied, and they let her into ſome of their ſecrets in coining. Her firſt employment was to utter their counterfeit money, for which ſhe was apprehended, ſent to Newgate, convicted, and fined. In Newgate ſhe began her acquaintance with Miles, who paid ſomething for her, when ſhe was diſcharged; but who afterwards (as we have ſeen in her trial) proved an evidence againſt her.

While ſhe lay under condemnation, and before the dead warrant came down, ſhe was very outrageous and turbulent in her behaviour, and could not be perſwaded to think of death, and much leſs of being burnt.

burnt. Nor was ſhe to be convinced by the Ordinary of Newgate, that ſhe had been guilty of any crime in coining. She even boaſted, that ſhe had never been a thief, and that ſhe had been but twice in Newgate, and no more than once in the Compter.

But, when her hopes of life were entirely vaniſhed, her former ſpirit was quite ſunk. She ſaid, indeed, that ſhe was not covetous of life, but could not bear the thoughts of burning.

She added, that her mother, who was lately executed (but for what we know not) ſuffered unjuſtly, and ſhe little thought it would be her fate to follow her ſo ſoon, in a no leſs ignominious manner. She expreſſed however ſome ſatisfaction, that her huſband was dead, who once lived in credit, and was a Butcher by trade.

When ſhe ſtood at the ſtake ſhe appeared to have leſs fear of death, than on the preceding day. She was very deſirous of praying, and complained of the dirt and ſtones thrown by the mob behind her, which prevented her thinking ſedately on futurity.—One time ſhe was beat quite down by them.

She declared that ſhe had been taught to coin by a man and woman, who had now left it off, and lived reputably, though, when they firſt began that trade, they were in very poor circumſtances; but ſhe would not diſcover who they were, it being, in her opinion, a pity that a family ſhould be ruined, who had given over that practice, and ſo many hundreds live ſecure in London, who ſtill continued the ſame; and added, that, though ſhe ſaw the faggors lie ready to burn her, ſhe would never take away the life of another, by making herſelf an evidence, even if a magiſtrate was to come in perſon, and offer her a pardon to do it; and therefore ſhe found it very difficult to forgive Miles, her old companion and accuſer. But however, juſt before the fire was kindled, ſhe ſaid, ſhe forgave not only her, but all the world,

and died in perfect charity; that she suffered justly, and hoped others would take warning by her untimely end.

She was burnt at Tyburn, on the 5th of July, 1721.

Account of the Trial and Life of JOHN WINSHIP, *who was hanged for robbing on the Highway.*

AT the sessions held at the Old Bailey in the month of July 1721, John Winship was indicted for assaulting Christopher Lowther, Esq; on the highway, and taking from him a watch, value five pounds, a purse, and ten guineas, on the 25th of May preceeding.

William Size deposed, that on Thursday the 25th of May, as he was driving Mr. Lowther in the coach for Hatfield, between four and five in the morning, a man rode up to him between Pancras Church and the half-way-house, and bade him stop, and then going to the gentleman in the coach, he swore "G—d "d—n you, Sir, your watch,—your purse—deliver—" and took both watch and purse away with him: that he rode on a grey horse with a whisk tail, and a fustian frock and a black mask. This evidence however would not swear positively to the prisoner, because he did not see his face; but he said that when he put on the frock, which was found in his lodgings, he looked very much like the man that committed the robbery.

William Clark deposed, that he took the prisoner in Drury-Lane, and on searching his lodgings, found a long

a long hunting whip and a white frock; and that the priſoner's wife being preſent, fell down on her knees, and begged of this deponent, for God's ſake, not to diſcover that he had found the frock.

One Mr. Gibſon depoſed, that as he was drinking with ſome friends near Pancras Church, the priſoner, whom he knew before, came up and called for a quartern of brandy, and aſked him to take a glaſs of it, which he did: that the priſoner told him he came to drink the waters, but the Wells not being open, he ſaid he would take a ride and drink the waters at his return; but that in leſs than a quarter of an hour he came gallopping back towards London, and called out to this deponent as he paſſed by: that it was then paſt four o'clock in the morning, and the priſoner wore a white frock buttoned up, and rode a grey horſe with a whiſk tail.

Another evidence, a lad of ſixteen years of age, depoſed, that being going that way he got up behind the coach, and that while he was there he ſaw the priſoner by it, and turn back again, and that he came almoſt cloſe behind the coach without his maſk, ſo that he had a full view of his face.

This evidence likewiſe depoſed to the circumſtances of the robbery, and to his dreſs and the colour of his horſe, as ſworn to by the former witneſſes.

The priſoner denied the fact, and inſiſted that his health was ſuch at the time mentioned in the indictment, that he was not able to have performed ſuch an enterpriſe; and to prove this he called his ſurgeon; who depoſed, that the priſoner was then ſo weak he could hardly go alone, being juſt come out of a ſalivation; adding, that he adviſed him to take a walk morning and evening, but ſaying he was not able, he (the ſurgeon) adviſed him to hire a horſe and ride out a little for the benefit of the air, and that on the 25th of May he ſaw him, before four

four in the morning, at the end of Gray's-inn-Lane, on a grey horſe, and dreſſed in a white frock.

On the trial it appeared that the priſoner had been an evidence in that court, againſt others, whom he had convicted of ſeveral robberies in which he himſelf had been concerned.

The jury found him guilty, in conſequence of which he received ſentence of death.

John Winſhip was born near Covent-Garden. At about fifteen years old he was put apprentice to a Carpenter; but, as a cloſe application to buſineſs was by no means agreeable to his diſpoſition, he ſoon left his maſter, and falling into a black-guard way of life, got acquainted with hackney-coachmen, who gave him now and then a penny, or a quartern of gin, for watering their horſes. Jack had a penetrating genius, and, obſerving that many of them ſpent more than their wages, he quickly diſcovered the ſecret of their ſharing the profits of the day with their maſters; and it was not long before one of them being diſcarded, Jack got into his place; but, as he followed the ſteps of his predeceſſor, in a little time he was turned off in the ſame manner.

However, he was not much at a loſs for buſineſs; he had been inclined to thieving from his infancy, and now made it his whole employment. He could blame nobody for ſeducing him, for he begun an ill courſe of life, not only very early, but of his own accord, and arrived to a conſiderable proficiency without the leaſt aſſiſtance of others. His abilities in his calling promoted him to the honour of an intimacy with ſeveral gangs of highwaymen, who, as he ſaid, courted his company for his uncommon activity, and dextrous management, and eſteemed him the principal man among them.

In all his robberies (which were pretty numerous for one of his age) he ſaid he had never committed

mitted any murder, for which reaſon he hoped (though he had been guilty of many other ſins) God would be graciouſly pleaſed to forgive him.

He appeared very deſirous of life, and ſaid he would gladly go to any part of the world, even for the whole remainder of his days, to avoid the ſhameful death his crimes had merited; not ſo much for his own ſake, as for the ſake of his ancient mother, who would probably end her days with grief, when ſhe heard of his unhappy exit.

"And yet" (ſays the Ordinary of Newgate) "if you "were at your liberty again, 'tis very likely your "mind would change as it did ſome time ago, when "you obtained a reprieve, though you promiſed the "Duke of Chandois to go to Africa."

"It was not I" (replied Winſhip) "who entered "into that engagement, but Will. Downing, who "was reprieved at the ſame time, and received 50l. "of the Duke on that condition. I indeed offered "his grace to go, if he would procure me any ſmall "commiſſion, and I had no occaſion to go otherwiſe, "though I would have gone notwithſtanding; but my "father, mother, and wife were againſt it for I "have an uncle at Kingſton in Jamaica, who went "over thither a Ship-Carpenter, and has ſince, by "taking pirate veſſels, acquired a fortune of 2000l."

The Ordinary then aſked him, if he did not rob a gentleman in a chaiſe, as he was watering his horſe at a church door one Sunday in ſermon time?

"Look you, Sir," ſays Winſhip, "if the thing was "done, 'tis no matter where or when; the time or "place makes no difference in the action. If I aſ-"ſaulted a man, and took his money at the play-"houſe-door, on a Saturday night, it was a rob-"bery; and you can make no more of it, if I did "the like at the church door on a Sunday morning; "but whether I did any ſuch thing or not, it is no buſineſs

" buſineſs of yours. I ſhall confeſs no particular fact, " nor diſcover any robberies to bring one man to be " an evidence againſt another; for if I had not been " an evidence formerly, I might have got off at my " trial."

He was executed at Tyburn (in the 22d year of his age) on the 21ſt of July, 1721.

Account of the Life of JOHN MEFF, *executed for returning from Tranſportation.*

THE fate of John Meff was ſomewhat extraordinary; he was apprehended for committing a robbery near London, but the time when it was done being within the limits of an act of grace granted by King George the Firſt, the court did not think it neceſſary to bring him to trial; ſo that he would of courſe have been diſcharged at the goal delivery; but having been tranſported for a former offence, and not ſtaid the limited time, a bill of indictment on the late act, " For the more effectual tranſportation of " felons," was found againſt him by the grand jury; and thereupon,

John Meff, alias Merth, alias Maſon, was indicted, for that he having been convicted of felony and burglary, and ordered to be tranſported for the ſame, to ſome of his Majeſty's plantations in America, for the ſpace of ſeven years, was afterwards found at large in Great Britain, without any lawful cauſe, before the expiration of the ſaid term.

The record of his conviction, and of the order of court thereupon, being read, the witneſſes for the king were ſworn, and depoſed, that the priſoner was the ſame man, who in October, 1717, was in that court

court tried for and convicted of breaking the houſe of John Weſterbane, on the 17th of September, 1717, in the night-time, with an intent to ſteal his goods; and the houſe of Roger Grant, on the 29th of Auguſt, 1717, in the night time, and ſtealing his goods. The jury found him guilty, and he received ſentence of death.

While he lay under condemnation he gave the following account of himſelf.

"I was born in London of French parents, who "fled hither for protection, when the French Pro- "teſtants were driven out of France by Lewis XIV.

"I was put apprentice to a Weaver: my father "having continued about twelve years in England, "went with the reſt of his family to Holland. I "ſerved my time faithfully, and with the approba- "tion of my maſter. Soon after I came to work for "myſelf I married; but my buſineſs not being ſuf- "ficient to maintain myſelf, my wife, and chil- "dren, I was willing to try what I could do at "thieving.

"I followed this practice till I was apprehended, "tried and condemned for houſe-breaking; but, as "I was going to the place of execution, the hang- "man was arreſted, and I was brought back to New- "gate. It was thought, that this was my contrivance, "to put a ſtop to public juſtice; but I was ſo far "from being any ways concerned in it, that I knew "nothing of it till it was done. This might have "been a happy turn for me, if I had made a right "uſe of it; for my ſentence of death was changed "for that of tranſportation. And indeed I took up "a ſolemn reſolution to lead an honeſt and regular "courſe of life, and to reſiſt all the perſuaſions of "my comrades to the contrary. But this reſolution "continued but a ſhort time after the fear of death "was vaniſhed.

" I believe however, that, if I had been ſafe landed " in America, my ruin might have been prevented; " but the ſhip, which carried me and the other convicts, " was taken by the pirates. They would have perſuaded " me and ſome others to ſign a paper, in order to be- " come pirates; but we refuſing they put me and eight " more aſhore, on a deſart uninhabited iſland, where " we muſt have periſhed with hunger, if by good for- " tune an Indian Canoe had not arrived there. We " waited till the Indians were gone up the iſland, and " then, getting into the veſſel, we ſailed from one " ſmall iſland to another, till we reached the coaſt " of America.

" Not chuſing to ſettle in any of the plantations " there, but preferring the life of a ſailor, I ſhipped " myſelf on board a veſſel that carried merchandize " from Virginia and South-Carolina to Barbadoes, " Jamaica, and other of his Majeſty's iſlands. And " thus I lived a conſiderable time; but at laſt be- " ing over deſirous to ſee how my wife and children " fared in England, I was reſolved to return at all " adventures.

" Upon my arrival here, I quickly fell into my for- " mer wicked practices, and it was not long before I " was committed to Newgate, on ſuſpicion of robbing " a perſon near London; but, by the aſſiſtance of a " certain Bricklayer, I broke out of priſon and went " to Hatfield, where I lay concealed for ſome time; " but at laſt was diſcovered, and taken again by the " ſame Bricklayer who had procured my eſcape. " Some evil genius attended me, I was certainly in- " fatuated, or I had never continued in a place where " I was ſo likely to be diſcovered.

" My father is now a Gardener at Amſterdam. " 'Tis an addition to my misfortune, that I cannot " ſee him and my mother before I die; but I hope " when he hears of my unhappy end, he will keep

" my

" my children by my firſt wife from ſtarving. My " preſent wife is able by her induſtry to bring up her " own offspring; for ſhe has been an honeſt careful " woman, during the nine months I have been mar- " ried to her, and has often preſſed me to go over to " Ireland, and lead a regular and ſober life. It had " been well for me if I had taken her advice.

" I have had enough of this reſtleſs and tumul- " tuous world, and hope I am now going to a bet- " ter. I am very eaſy and reſigned to the will of " Providence, not doubting but I have made my " peace with Heaven. I thank God that I have not " been moleſted by my fellow-priſoners, with the " leaſt curſing or ſwearing in the Condemned-hold; " but have had an opportunity of employing every " moment of my time in preparing for a future ſtate."

He was executed at Tyburn, on the 11th of Sep- ber, 1721.

Account of the Trial, conviction, and Life of JOHN JAMES, *executed for robbing on the Highway.*

AT the ſeſſions held at the Old Bailey in the month of October, 1721, *John James*, alias *Richard James*, was indicted for aſſaulting Collet Mawhood on the highway, putting him in fear, and taking from him a gold ring with a blue ſtone in it, value twenty ſhillings, and ten ſhillings in money, on the 28th of Auguſt preceeding.

Mr. Mawhood depoſed, that as he was travelling near Hanwell-Heath on the 28th of Auguſt, about

five o'clock in the afternoon, he was attacked by two highwaymen, one of whom he was certain was the priſoner, and that one Nathaniel Hawes had confeſſed that he was the other. He ſaid they took from him ten ſhillings and a gold ring, in which was ſet a blue ſtone; that having a great value for the ring, for the ſake of a deceaſed friend who left it him, he begged the highwaymen to let him have it again, telling them his name and place of abode, and promiſing them any reaſonable acknowledgement for it: that thereupon Hawes returned the ring; on which the priſoner ſwore, threatened to ſhoot Mr. Mawhood, took the ring from him a ſecond time.

Jonathan Wild, the famous thief-taker, depoſed, that Hawes ſent for him and offered to become an evidence; and among other things told him of this robbery, and diſcovered the priſoner; that when he (Wild) took the priſoner he found the ring in his pocket; that he begged hard to have it again, which this deponent refuſed, from the conſideration that it would be a good evidence againſt him.

Hawes the accomplice ſwore that he and the priſoner committed the robbery; that he returned the ring, as depoſed by the proſecutor, and that in the ſpace of a fortnight James and himſelf had committed eleven robberies together.

By way of defence the priſoner ſaid, that being arreſted for debt, his wife brought that ring to him while he was in priſon, and that ſhe received it of Hawes, who gave it her to let him lay with her: but the jury giving no credit to this aſſertion, brought him in guilty of the indictment, and he was ſentened to be hanged.

After condemnation, he gave the following account of himſelf.

I was

I Was born in St. Ann's, Weſtminſter; my father was a nobleman's cook. He left me to ſhift for myſelf when I was very young. In about the twelfth year of my age I went to ſea; and, being at Jamaica, I and many others were taken priſoners by the Spaniards; but one of the Spaniards, who was a houſe-painter, taking a fancy to me, carried me to New-Spain, and inſtructed me in his trade. I lived very well with this maſter; but, longing to ſee the place of my birth, and to talk in my own language, I returned to England: I was then about ſeventeen years old, and married a wife much younger than myſelf, at which her friends were ſo provoked, that ſhe was turned out from her father's houſe, and I was obliged to go again to ſea. In this voyage I was taken by the pirates, who put me on ſhore on ſome part of the Coaſt of America; from whence I travelled to Boſton in New-England, and ſo to Maryland. After I had been three years abroad, I once more came back to my native country, where I found that my wife was married to another huſband, ſhe having heard that I was dead in America. I could not perſuade her to leave her ſecond huſband, becauſe ſhe had two children by him; and this put me upon keeping company with other women.

I confeſs myſelf guilty of the fact I am charged with, and I deſerve to die for it. The defence I made at my trial was falſe, for Hawes never gave my wife the ſtone ring to let him lie with her.

If I may judge of others by myſelf, I believe that the execution of malefactors has but little effect upon their old companions, or others, who have inured themſelves to the like vicious courſe of life. For I have been often preſent at ſuch a time, without feeling the leaſt concern or uneaſineſs, or being any ways alarmed at the ſight of death.

I acknow-

I acknowledge it with grief, that I was generally cruel to thoſe I robbed, as in particular when I, Nat. Hawes, and Dick Jones, by the Lord Portland's Park-wall, beyond Uxbridge, attacked Mr. March's waggon, (which goes from the Bell in Warwick-lane, to Chiner, at Thame in Oxfordſhire) there being one man and three women in the waggon, beſides the waggoner. And when Hawes and myſelf robbed a gentleman and a lady in a chaiſe, beyond Acton, for which I am now condemned. For when Hawes, by the gentleman's intreaty, had reſtored to him the ſtone-ring, which the gentleman had a particular value for, I turned my horſe about, and ſwore, that I'd ſhoot him through the head, if he did not immediately give me the ring a ſecond time. At another robbery I was in a violent paſſion with my comrade, for giving the travellers two ſhillings to croſs the water. Being once at an inn at Harrow on the Hill, two ladies, and their footmen called in: We found upon enquiry, that they were travelling a-croſs the country to Mortlack. I and my companions waited for them about a mile on this ſide Oxford road, and attacked them as ſoon as they came up; and among other things we took away a whip, which one of the ladies was deſirous to have returned; my comrades were willing enough to comply, but I obſtinately refuſed. She then begged for a paper of ſnuff out of her ſilver box, that we had robbed her of, to which indeed I made no objection.

1. In Auguſt laſt I robbed two men or horſeback, on Finchley-common, at nine o'clock in the evening. 2. Some gentlemen going for Mortlack. 3. A man with a woman behind him near Tottenham turnpike. 4. A man and a woman on Finchley-Common. 5. A Quaker's coach, about four miles beyond Acton, in which were one man and three women, from whom I took a gold chain, four guineas, and eight ſhillings, on the 28th Day of the month:

beſides

beſides which I committed four or five other robberies at the ſame time.

But whatever cruelty I might be guilty of, I never carried it ſo far as to commit murder. And once I behaved differently from my uſual method; it was in robbing a man and woman betwixt Hampſtead and London, and it was the only time that I ever attacked any body in that road. I took no more than a crown from 'em, and the woman being with child, I treated them ſo civilly, that, hearing I was a priſoner in Newgate, they came thither to return me thanks for it.

I thank God for taking me ſo ſoon off from ſin, and giving me time for repentance. And whatever the world may ſay of my dying a ſhameful death, it will not at all affect my ſoul, if I am but happy in Heaven, while they remain among the clamours, cares and diſquietudes of this world.

He was hanged at Tyburn, in the 30th year of his age, on the 23d of October, 1721.

The obſervation that this criminal makes, that "The execution of malefactors has but little effect "upon their old companions," is an admirable warning to youth to ſteer clear of the firſt approaches of vice; ſince when the mind is once hardened by the commiſſion of ſmall crimes, the culprit goes on without remorſe to the commiſſion of greater, till his life and his vices are ended together, by a miſerable and ignominious death at the gallows!—

The Trial of ARTHUR GRAY, *for a Burglary.*

THE caſe of this young fellow made a great noiſe in the world at the time when it happened; and indeed if we conſider the matter, it will appear a little extraordinary that he ſhould go ſuch lengths as he did for the gratification of his paſſion, and yet permit a defenceleſs woman to conquer him at laſt: but perhaps ſome perſons may be apt to think this a proof that his love and veneration for the lady, was even ſuperior to the luſt of poſſeſſing her.

In the month of December, 1721, *Arthur Gray* was indicted for breaking and entering the dwelling houſe of George Baillie, Eſq. in the pariſh of St. James's Weſtminſter, with an intent to raviſh, and againſt her will, carnally know Grizel, the wife of Alexander Murray, in the night of the 30th of October preceeding: to which indictment he pleaded Not Guilty.

The council for the proſecutor, in opening the nature of the indictment, obſerved, that the breaking and entering a dwelling houſe in the night, with an intent to commit a felony, was burglary, whether the felony was committed or not.

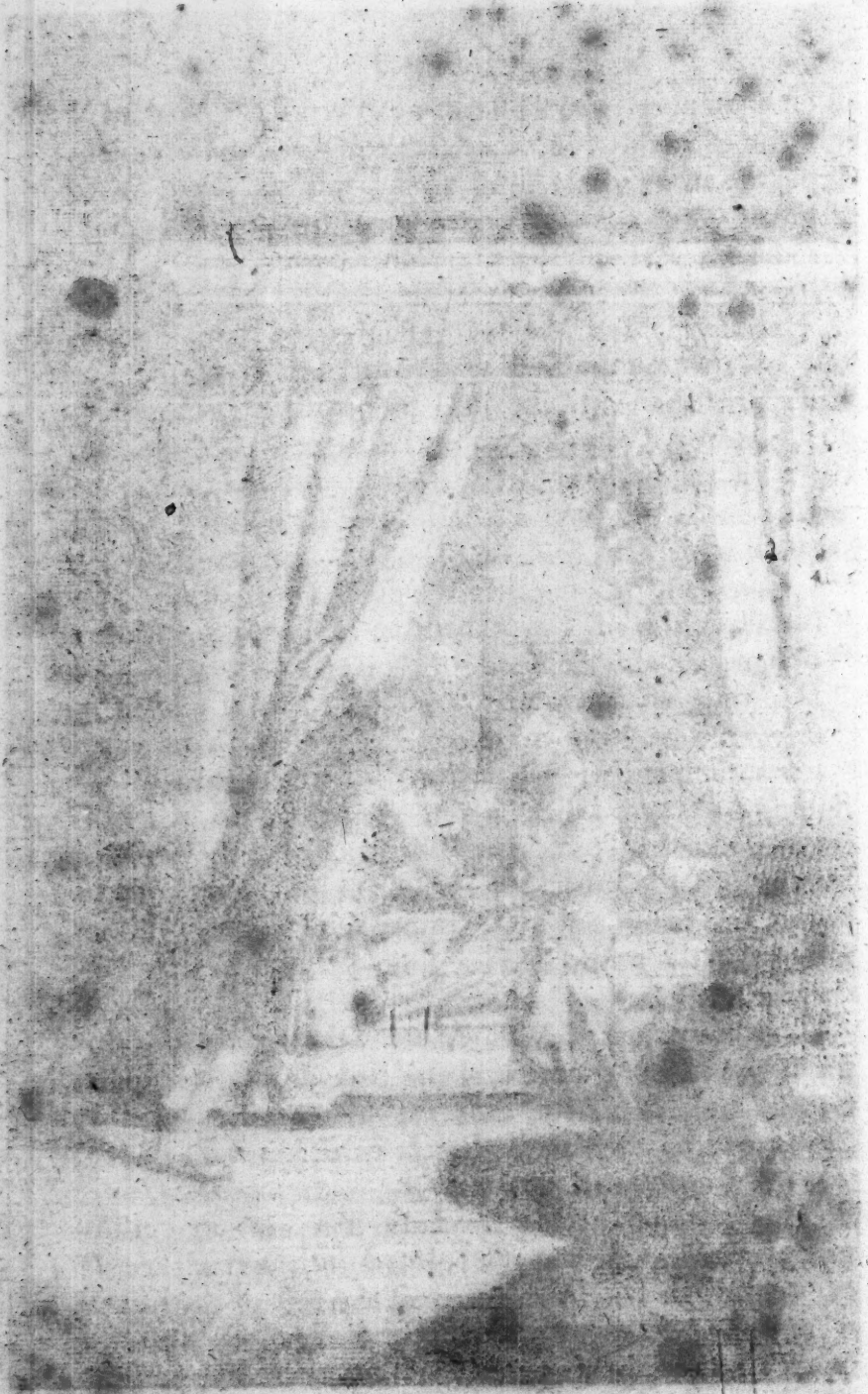
The firſt evidence was Mrs. Murray, who being ſworn, depoſed, that on the 14th of October, about four o'clock in the morning, the priſoner entered her room, with a piſtol in one hand, and a drawn ſword in the other; and coming to her bed ſide, threatened to kill her if ſhe made the leaſt noiſe: that ſhe aſked him what he meant by coming into her chamber in

ſuch

Engraved for the Tyburn Chronicle.



Arthur Gray the Footman, threatening the Life of Mrs. Murray.



ſuch a manner; to which he anſwered, "Madam, I "mean to raviſh you, for I have entertained a violent "paſſion for you a long time; but as there is ſo "great a difference between your fortune and mine, "I deſpair of enjoying my wiſhes by any means but "force."

Hereupon Mrs. Murray endeavoured to reaſon him out of the commiſſion of the intended crime; but ſtill perſiſting in it, he laid the ſword upon the bolſter, and endeavoured to pull down the bed-cloaths, on which ſhe begged him to delay till ſhe had ſpoke with him farther, and aſked him if nothing would prevail with him to deſiſt; but he replied, "No,— "I have ventured my life for your ſake already, and "therefore am reſolutely bent to go through with my "deſign, let the conſequence be what it will—All "the reſt of the family are aſleep, and if I loſe this "opportunity, I can never expect another. Your mak- "ing a noiſe will ſignify nothing—I muſt and will."— Saying theſe words, he again attempted to take off the bed cloaths; but Mrs. Murray ſuddenly puſhing him againſt the wall, wrenched the piſtol out of his hand, and rung the bell; upon which the priſoner ran out on the room, and ſhe followed him to the door, crying out murder.

The court aſked Mrs. Murray how long the priſoner was in her room; and ſhe ſaid about three quarters of an hour; for that on her calling out, her father and mother immediately came up, and then it wanted a quarter of five o'clock.

The priſoner aſking the lady if a certain gentleman, (whoſe name was not printed in the trial) never came into her chamber when all the reſt of the family were in bed; ſhe anſwered in the negative; and the court told the priſoner that if he had any queſtion to aſk, he ought to propoſe it to the court, and if it was proper, they would require an anſwer from the witneſs: they ſaid, alſo, that the preſent queſ-

tion was not at all proper—that the lady had given a poſitive anſwer to it, which, however, was more than ſhe needed to have done.

The remainder of this trial, for the ſake of perſpicuity, we ſhall give in the very words of the deponents, as ſeveral of the queſtions and anſwers are very ſhort, and could not be reduced to the narrative form, without obſcuring the ſenſe.

Priſoner. My lord, I ſhall aſk nothing but what I think may do me ſome ſervice, when I come to make my defence.—I beg your lordſhip would aſk Mrs. Murray, if her chamber-door was conſtantly locked on nights?

Court. You hear the queſtion, madam.

Mrs. Murray. It was always ſhut, but not always locked.

Priſoner. Did you never riſe out of bed to lock it when —— has been in the room?

Court. You muſt not go on thus.

Mrs. Murray. I have told you already that —— never was in the room.

[Elizabeth Trimnel ſworn.]

Elizabeth Trimnel. I waited on Mrs. Murray to bed, about one in the morning, and ſhut the door after me. But going by about three I found it open: I ſhut it again, and left it ſhut, and believe it was faſt.

Priſoner. What kind of lock was it?

E. T. A braſs ſpring lock.

Priſoner. Was there a key in it?

E. T. No; it opened and ſhut with a braſs knob.

Priſoner. But don't you know that the lock was faulty, was difficult to be made faſt, and would afterwards ſlip back and open of itſelf?

E. T. The ſpring indeed was bad.

Priſoner. And might not that be the occaſion of the door's being open, when you came to it the ſecond time?

E. T.

E. T. I can't ſay but it might; but I am pretty ſure that I locked it faſt the ſecond time.

Priſoner. I ſuppoſe you thought you had made it as faſt the firſt time.

E. T. I can't be ſo certain of that.

Priſoner. Don't you know that —— has taken leave of the ladies, and waited in a dark room, till the reſt of the company were in-bed, and then gone into —— chamber, and ſtaid there two or three hours?

Council. You will do yourſelf no ſervice by this behaviour: you have been told that you ought to propoſe your queſtions to the Court.

[James Parks ſworn.]

James Parks. I heard a noiſe about five o'clock in the morning, and thought there had been thieves in the houſe, and ſo I jumped out of bed, and run down ſtairs in my ſhirt; but finding nobody below, I went up again, and met my Lady Grizel Baillie, and Mrs. Murray, at the ſtairs-head; and Mrs. Murray ſaid, "The rogue is juſt gone out of the room, "and run down ſtairs," and my Lady Baillie told me, that Arthur had endeavoured to raviſh her daughter Mrs. Murray; I went afterwards to look for the priſoner, and ſo I met Mr. Hayes: he ſhewed me a key, and aſked me if I knew it. I ſaid, "Yes;" and then ſaid Hayes, "If you'll come along with me, I'll "bring ye to the owner of it." I followed him into a room in his houſe, and, upon his bed, I found the priſoner lying without his hat and ſhoes. Thomas Hughs came in ſoon after me. I aſked the priſoner, if he went into Mrs. Murray's chamber with an intent to lye with her? he ſaid, yes. "And what poſſeſt you "to do it?" ſays I. Why, ſays he again, "I be-"lieve the devil poſſeſt me." "What, was ye drunk?" ſays I. "No," ſays he, "I can't ſay that I was."

Priſoner. Did ——— never come to you early in the morning, and deſire you to let him lie in your bed?

Parks. Go look!

Priſoner. My Lord, this evidence was ſo drunk that night, that he went out and vomited.

[Thomas Hughs ſworn.]

Thomas Hughs. I got up at hearing the noiſe, and took a blunderbuſs in my hand, as thinking ſome rogues were got into the houſe; but I was ſoon informed that the priſoner had made the diſturbance, by going into Mrs. Murray's room with a ſword and piſtol. I went in ſearch of him, and, between eight and nine in the morning, I found him upon Mr. Hayes's bed, with neither ſhoes nor hat. I heard him own that he went into Mrs. Murray's room, and that he was ſorry for it, but I don't remember that he ſaid he went in with an intent to raviſh her, or that I heard Parks aſk him on what account he went in.

Then the priſoner's confeſſion before Juſtice Blagney was read, in which he acknowledged, that, "He "opened and entered the chamber of Mrs. Murray, "with a deſign to raviſh her, and that he brought "the ſword and piſtol to put her in fear, and oblige "her to comply." And ſeveral of his letters were produced in court, in one of which, directed To the Honourable and moſt Chriſtian Lady Bennyng, in Great Marlborough-ſtreet, he ſays, "I muſt "acknowledge my fault, and pray forgiveneſs of "God, and the lady of the family whom I have of-"fended."

The Priſoner's defence.

Priſoner. I had been making merry abroad with ſome of my fellow-ſervants, and came home much diſordered with liquor, and going up ſtairs to bed without

without my ſhoes,(as I uſually did) I thought I heard a noiſe of ſomebody in Mrs. Murray's room, upon which I went down and fetched up a ſword and piſtol, and Mrs. Murray's door ſtanding a jar, I went in, and laying down my arms to look behind the bed, Mrs. Murray rung the bell and alarmed the family.

[John Vandercome ſworn.]

John Vandercome. The priſoner and ſeven or eight more were merry-making at my houſe the night before the 14th of October: they drank four pints and a half of brandy, and four quarts of beer. Parks, Williams, and the priſoner went home together, between three and four in the morning, not quite drunk, but very mellow. Before they went away Parks went out and vomited, and I went to hold him, but he ſaid, "Fye! don't hold me, for then they'll "think I am fuddled, and I would not have them "take notice of it."

[Jane Ruſhfield ſworn.]

Jane Ruſhfield. I took notice that the cook was very drunk over night; but I had no talk with any of the others, and therefore can't ſay what condition they were in. During the half year that I lived with my Lady Baillie, I never knew Mrs. Murray's door to be locked faſt at night, for I uſed to go every morning into her chamber to light a fire. The lock was very faulty, it was a braſs ſpring lock, that was never uſed to be made faſt with a key; for we had but one key to all the rooms in the houſe.

Priſoner. My Lord, by what has been ſworn both by this witneſs and Elizabeth Trimnel, I think there is a probability that the door was open; at leaſt there appears no proof of the contrary, and if it was open, I cannot be guilty of breaking into the room; my life depends upon this one circumſtance, and therefore I humbly hope your lordſhip and the jury will take it into conſideration.

All

All the witneſſes for the priſoner gave him the character of a youth of a civil and modeſt behaviour.

The jury, after about an hour's conſideration, brought in their verdict Guilty, and he received ſentence of death.

After he had received ſentence, he declared at the bar, that what he had inſinuated at the time of his trial, concerning —— was intirely falſe and groundleſs, and that he had been adviſed to aſk thoſe queſtions by ſome who perſuaded him that it would prove to his advantage.

He was afterwards reprieved.

The following ballad was written and printed on the occaſion.

VIRTUE *in Danger: Or, a Lamentable Story how a virtuous* Lady *had like to have been raviſhed by her Siſter's Footman.*

(To the Tune of The Children in the Wood.)

Written by a LADY.

NOW ponder well, ye ladies fair,
Theſe words that I ſhall write;
I'll tell a tale ſhall make you ſtare,
Of a poor lady's fright.

She laid her down all in her bed,
And ſoon began to ſnore,
It never came into her head
To lock her Chamber-door.

A footman of her ſiſter dear,
A ſturdy Scot was he,
Without a ſenſe of godly fear,
Bethought him wickedly.

Thought

Thought he, this lady lies alone,
I like her comely face;
It would moſt gallantly be done,
Her body to embrace.

In order to this bold attempt.
He ran up ſtairs apace;
While ſhe poor lady, nothing dreamt,
Or, dreamt it was *his Grace*.

The candle flaming in her eyes,
Made her full ſoon awake:
He ſcorned to do it by ſurprize,
Or her a-ſleeping take.

A ſword he had, and hard by it,
A thing appeared withal,
Which we, for very modeſty,
A piſtol chuſe to call.

This piſtol in one hand he took,
And thus began to woo her:
Oh! how this tender creature ſhook,
When he preſented to her.

Lady, quoth he, I muſt obtain,
For I have loved thee long:
Would you know how my heart you gain'd,
You had it for a ſong.

Reſolve to quench my preſent flame,
Or you ſhall murder'd be;
It was thoſe pretty eyes, fair dame,
That firſt have murder'd me.

The lady look'd with fear around,
As in her bed ſhe lay;

And though half dying in a ſwoon,
Thus to herſelf did ſay:

" Who raſhly judge, (it is a rule)
" Do often judge amiſs:
" I thought this fellow was a fool;
" But there's ſome ſenſe in this,"

She then recover'd heart of grace,
And did to him reply,
" Sure Arthur, you've forgot your place,
" Or know not that 'tis I.

" Do you conſider who it is,
" That you thus rudely treat?
" 'Tis not for ſcoundrel ſcrubs to wiſh
" To taſte their maſter's meat.

" Tut, Tut," quoth he" I do not care;"
And ſo pulled down the cloaths:
Uncover'd lay this lady fair,
From bubbies down to toes.

" Oh! Arthur, cover me (ſhe ſaid)
" Or ſure I ſhall get cold:
Which preſently the rogue obeyed;
He could not hear her ſcold.

He laid his ſword cloſe by her ſide;
Her heart went pit-a-pat:
" You've but one weapon left, (ſhe cry'd)
" Sure I can deal with that."

She ſaw the looby frighted ſtand,
Out of the bed jump'd ſhe,
Catch'd hold of his ſo furious hand
A ſight it was to ſee!

His piſtol-hand ſhe held faſt clos'd
As ſhe remembers well;
But how the other was diſpos'd
There's none alive can tell.

The ſword full to his heart ſhe laid,
But yet did not him ſlay;
For when he ſaw the ſhining blade,
God wot, he ran away.

When ſhe was ſure the knave was gone,
Out of her father's hall,
This virtuous lady ſtraight began
Moſt grievouſly to bawl.

In came Pawpaw, and Mawmaw dear,
Who wonder'd to behold:
" Oot * Griſee, what a noiſe is here,
" Why ſtond you in the cold?

" Mawmaw, ſhe ſaid, (and then ſhe wept)
" I have a battle won;
" But if that I had ſoundly ſlept,
" My honour had been gone.

" A footman of my ſiſter, he——
" A footman! cry'd Mawmaw,
" Dear daughter this muſt never be,
" And we not go to law."

This lady's fame ſhall ever laſt,
And live in Britiſh ſong;
For ſhe was, like Lucretia, chaſte,
And eke was much more ſtrong.

* N. B. The Lady's name was Grizel.

The Trials of MARY BUN *and* ELIZABETH MOB, *for privately ſtealing.*

AT the ſeſſions held at the Old Bailey in the month of December, 1721, *Mary Bun* and *Elizabeth Mob*, were indicted for ſtealing a linen bag, one guinea, and 3l. 19s. in ſilver, privately from the perſon of John Foſter, on the 16th of October preceeding.

The proſecutor gave his evidence in the following words: "Abuot ten at night, as I was going to my "inn (the Vine within Biſhopſgate) I met the two "priſoners at the bar, and one of them—that little "freſh coloured wench—I think they caal her Naom "Mab—tuck huold of my airm, and aſked me to "gee her a pint of wine; but I tould her I ſhaddent, "and ſo I went an: but it ſennifyed nawing, for they "bouth followed me, and ſaid, as how they wad gee "me a pint, an I waddent gee them one. Thuot I "to myſelf, Theas laſſes are main good humoured "by their talk, I'll ee'n try what they are maod an. "And ſo Sir, I went wi' 'em to the Quean's-Yead "Tavern, and preſently they begun to be mortal "fond an me. That little Tuad Mab flung her airms "ruond my neck, and fell a hugging and kiſſing "an me like a devil, and would neads lay hould of "what I had, and I muſt ooan, that I did maok "free wee her in ther ſaom way; but, a murrain an "her, for a wheadling jead as ſhe was, while ſhe "pretended to be ſo woundy loving, ſhe picked the "bag of money out of my pockut. I duddent ſee "the baggage taok it, but I ſee her gee it to Bun, "and Bun put it up her coats, and thear I thuot to "find

" find it; but while I was fealing about Bun, Bun " was too cunning for me, and handed it back to " Mab. A Devil an 'em (thuot I) if theas be their " tricks, and ſo I begun to maok a plaguy uproar " in the houſe, and ſome of the foke bruot a con- " ſtable, and he found the bag of money in Mab's " pockut; and here the bag is, and this is my mairk, " J. for John, and F. for Foſter. I can taok my " my bible oath to the bag, and the money too, if " nead be, for there is one ſhilling that is nowght, " and that I can ſwear to."

Mr. Larkin a conſtable, depoſed, that being ſent for to the Queen's-Head Tavern about midnight, the proſecutor charged the priſoners with having picked his pocket of five pounds; that they both denied it, but that upon ſearching them he found the money in Elizabeth Mob's pocket.

Another evidence ſwore, that being called into the room where the conſtable, the proſecutor and the priſoners were, he ſaw the conſtable take the bag of money from Mob.

Elizabeth Mob owned that ſhe had the money, but ſaid that the proſecutor gave it her of his own accord, to let him ſpit in her mouth.

Mary Bun in her defence ſaid, that ſhe was not in the room at the time the money was loſt; for that Foſter promiſed to give her a pint of wine to go out of the room while he and Betty Mob did their private concerns together.

The jury having heard the evidence, acquitted Bun, and found Mob guilty of the indictment, whereupon ſhe received ſentence of death: but pleading her belly, a jury of matrons were impannelled, who found her quick with child, and ſhe was afterwards reprieved.

Account of the Trials of MARY HARVEY *and* ANNE PARKER, *for privately ſtealing.*

AT the ſeſſions held at the Old Bailey in December, 1721, *Mary Harvey*, and *Ann Parker* were indicted for ſtealing a ſilver watch, value 7l. privately, from the perſon of Daniel Caſſel, on the 18th of November preceeding.

Caſſel, who was a Frenchman, gave his evidence in the following words.

" Aſs I was going along von night, vary mary " vid de leequor, deſe two vomans, (de preeſonars at " de bar) fall in mine vay, and Mary Harvey aſk me, " Ah, mine dear! how you do? vat vill you go vid " me to mine loſhing?" " Vid all mine art," told I, " and ſo ve go togader, but ven ve come dare, ſhe " no find de key of de door. Vel, vat ſal ve do now? " Vy" told de oder Voman, Ann Parker, " Me ave " got von loſhing in de Petty-France, ve vill go dare:" " So me go vid 'em to dat loſhing, up von pair of " ſtairs, and dare Mary Harvey and me tumball " upon de bed togader, and den ſhe pick a mine vaſh " out of mine pockate, and give it to Parker, and " Parker run avay vid de vaſh, and Harvey got off " de bed, and run avay too."

The court aſking him if he did not run after them, he anſwered, no, and the reaſon being demanded, he proceeded as follows. " Ah begare! dere vas de " raiſong for dat—mine breeſhes vere down about " mine foots—vell! den anoder voman come in and " aſk a me, " Vat vill you give for you vaſh again?" " Vy," me ſays, " me ave no more l'Argent, but me " give a you von pot of de beer." She tell a me, " Dat

" Dat is too leetel," and ſo ſhe go avay again. Den " I make de uproar, and de vaſhamans, and de " cooneſtauble come in, and deſe two vomans at de " bar come in after dem. " Vell," aſk a de cooneſ- " tauble, " Vy make a you dis very much noiſe ?" " Vy, Maitre Cooneſtauble," me ſay, " deſe vomans " ave ſteal a mine vaſh out of mine Pockate," And " den the cooneſtauble and de vaſhamans take ve all " tree to de coontaur."

Mary Harvey, in her defence, ſaid, that ſhe met the proſecutor and a woman with him in Biſhopſ-gate-Street; that he aſked her to go and drink, and then took her to the houſe in Petty France. That he went up ſtairs with the other woman, but would not let her go up, ſo that ſhe ſtaid below in the kitchen; that in a little time he ſent down a ſhilling, for her to fetch two pennyworth of rods, and when ſhe came back, ſhe found the conſtable and watchmen there: that one of the watchmen told her, that the proſecutor ſaid he had loſt his watch, but could not be poſitive who had got it.

Elizabeth Jenkins depoſed, that ſhe ſaw the proſecutor and Harvey, with another woman, known by the name of Squinting Abigail, go into the houſe in Petty France, and go up ſtairs together: that Ann Parker was only a ſervant in the houſe, and did not go up with them: that the proſecutor ſaid that Harvey had picked his pocket of his watch, and given it to Parker: that this deponent knew Ann Parker to be a good honeſt woman, who had the misfortune to be married to a man who was acquainted with " A pack of brimſtone bitches."

The jury acquitted Parker, and found Harvey guilty of ſingle felony, whereupon ſhe was ſentenced to be tranſported.

Account

Account of the Trials of JOHN JAMES, THOMAS PICKET, *and* HENRY AVERY, *for a Robbery.*

AT the ſeſſions held at the Old Bailey in the month of March, 1721—2, *John James*, alias *Eaton*, alias *John the Grinder*, *Thomas Picket*, and *Henry Avery*, were indicted for aſſaulting Elizabeth Knowles on the highway, in the pariſh of St. Bartholomew the Great, putting her in fear, and taking from her a ſilk-pocket, a ſilver watch and chain, a ſnuff box, and other things, on the 17th of January preceeding.

The proſecutrix depoſed, that on the day mentioned in the indictment, as ſhe was going through Long-Lane, Weſt-Smithfield, between ſix and ſeven in the evening, ſomebody came behind her, kicked her leg, and ſnatched her pocket, in which ſhe had a watch, a ſnuff-box, and other things: that ſhe was ſo ſurprized, that ſhe did not obſerve who did it; but on her applying to Jonathan Wild, he took the priſoners, and got her the watch again.

Thomas Eades, alias Eaves, depoſed, that the robbery was committed by himſelf and the three priſoners: that he endeavoured to throw the woman down, Picket ſnatched the pocket, and gave it to the Grinder: that he afterwards pawned the watch for a guinea, and they ſhared the money, but with regard to the ſnuff-box he knew nothing of it, and if there was one, they cheated him out of his ſhare: that on hearing the watch was enquired after, he ſent for Mr. Wild, and told him where he had pawned it.

Jonathan

Jonathan Wild gave in his depoſition in the following words:

" Upon —— Worrel's information I got a war-
" rant againſt the Grinder for another robbery. I
" went to a houſe he frequented in Crown-Court in
" St. Giles's. Tom Eaves happening to ſee me be-
" fore I could get in, he thruſt the door to, and ſtood
" againſt it. I ſwore, if they would not open it, I'd
" fire through and clear the way directly. Upon
" that, I was let in, and, ſearching the houſe, I found
" the Grinder under the bed, and ſo ſecured him and
" Eaves *.—Says Eaves, I hope Mr. Wild, you have
" not me in your information?—No matter what I
" have in my information.—Why, Mr. Wild, I was
" never guilty of any thing but ſnatching a pocket.—
" Where?—In Long-Lane.—Was there a watch in
" it? yes, and a ſnuff-box. †—And who was with
" you?—Why the Grinder, and Picket, and Avery;
" and I can make myſelf an evidence.—Can you ſo?
" very well!—So I took care of my two chaps, and
" next day I went in queſt of the other two, Picket
" and Avery, whom I knew to be old ſnatch-pockets,
" and it was not long before I met them in the ſtreet.
" So, ſays I, where are you two gentlemen going?
" they ſaid, they had heard the Grinder was taken,
" and they were going to enquire how he came
" off.—Come off, ſays I, he is not come on yet, but
" you ſhall go and ſee—I'll carry you to him. No,
" they ſaid, they were ſatisfied with what I had told
" them.—But, ſays I, he'll take it ill if you don't go,
" and why ſhould you be againſt it? Becauſe, ſays
" Picket, as we have ſometimes been in his compa-
" ny, and drank with him, may-be he may ſwear

* This diſagrees with Eaves's depoſition, for he ſwore (not that he was taken in this manner by Wild, but) that he ſent for Wild.

† This again contradicts Eaves, who ſwore he knew nothing of the ſnuff-box.

" ſome

" ſome robbery upon us. May be ſo too, ſays I, and " for that very reaſon I muſt take you with me. " They afterwards owned, that they were going to " enquire if Eaves or the Grinder had impeached " them, and, if they had found that neither of " them had, they deſigned to turn evidences them- " ſelves."

The Grinder called ſeveral to his reputation. They gave his father a good character; but, as for the young Grinder, they owned that his credit was but indifferent. They added, however, that he ſometimes followed the buſineſs he was brought up to, which was going about the ſtreet with a barrow for grinding knives.

Others appeared for Picket, and ſaid he formely drove a wheel-barrow with fruit, but had ſince been a hackney-coachman; that he was a civil, pains-taking fellow, and, if he was guilty, they believed he was but lately drawn in.

Many gave Avery an honeſt character. They ſaid he was a Bricklayer by trade, was very careful and induſtrious, and always behaved well.

The jury acquitted Avery, and found the other two guilty; in conſequence of which they received ſentence of death.

John the Grinder was about eighteen years of age, when he was condemned. He greatly regretted his, being obliged to leave the world ſo ſoon. He ſaid, that he had a very early inclination to vicious courſes and ſo ſtrong, that an uncommon ſeverity was neceſſary to curb it. He therefore wiſhed, that his father had been leſs indulgent, or had put him apprentice to ſome maſter, who would have kept a ſtrict hand over him.

He would not be perſuaded, that the fact he was condemned for was any more than a very trivial offence; for he ſaid, that no body carried their all about them,

them, and could not be much detrimented by ſo ſmall a loſs as that of a few odd things, which they might have in their pockets; and he thought it hard to ſuffer death for ſuch trifles, when ſome, whoſe offences were, in his opinion, much greater, had been reprieved.

Though, as he ſaid, his parents were not harſh to him, yet they frequently adviſed him to conſider whither he was hurrying. He declared, that they knew indeed of his lying out of nights, haunting infamous houſes, and frequenting the company of lewd women; but were ignorant of his robberies: and that he thought it the greateſt addition to his misfortunes, that his parents and ſiſters were ſo overwhelmed with grief, that they could not bear to viſit him in priſon.

By the ſhort account Thomas Picket gave of himſelf, his life appears to be almoſt a parallel with that of the Grinder. For he only ſaid, that he was about eighteen years old, born in St. Giles's, never put apprentice, nor married, was the only ſon of his father, who would never viſit him in priſon, but ſent him his advice, "To prepare for a future ſtate, "and not flatter himſelf with vain expectations of "life, for there were no hopes of a reprieve." He confeſſed, that he had followed a very wicked courſe of life for two years paſt, being much addicted to drunkenneſs and whoring, which he hoped to atone for by the ſincerity of his repentance.

Account of the Trial of JOHN DICKS, *for Sodomy.*

AT the ſeſſions held at the Old Bailey in the month of April, 1722, *John Dicks* was indicted for aſſaulting John Meeſon, with an intent to commit the unnatural and deteſtable ſin of ſodomy.

John Meeſon depoſed, that on the day the firſt ſtone was laid for the building St. Martin's Church, as he was ſtanding in the church-yard, the priſoner came up to him, and clapping him on the ſhoulder, ſaid, "Honeſt Dyer! how fares it?" and after talking about the coffins that were dug up and lay in the church-yard, aſked him to go to the alehouſe and take a pot, which he at firſt refuſed, but the requeſt being frequently made, he at length complied, and when the priſoner had made him almoſt fuddled, he kiſſed him, put his hand into his breeches, and taking his hand, put it into his own breeches.

He then took h m to a cellar in the Strand, where they had one pint of beer, and Meeſon having ſome goods to carry into Fleet-ſtreet, told the priſoner that if he would ſtay there he would return to him. Accordingly he went and delivered his goods, and returning to the cellar, found him waiting; but that not being private enough, they went to another alehouſe in Chancery-Lane, where the priſoner treated this deponent with hot ale and gin, and then took him to the Golden-ball in Bond's-Stables, where they drank till Meeſon was quite drunk and laid down to ſleep; and then the priſoner unbuttoned his breeches, turned him on his face, and tried to enter bis body; but whether he accompliſhed his deſign or not,

not, the deponent could not ſwear, as he was not ſufficiently ſenſible to be certain. Meeſon then fell aſleep, and when he waked the priſoner was gone; but he found his breeches down, and ſaid he was almoſt ſtarved with cold.

William Rogers depoſed, that he ſaw the priſoner and the boy come in together, and go into an apartment by themſelves, and there being but a thin partition, he could plainly hear him kiſs the boy, and call him his dear, his jewel, and his precious little rogue: that hereupon he ſent in the ale-houſe boy, to ſee what they were about; who coming out, informed this deponent, and a woman who was in the ſame room, with what he had ſeen, and both of them looking through a ſlit in the partition, ſaw the priſoner in the act of ſodomy, making ſeveral motions with his body, and this deponent at length obſerved him withdraw his yard from the boy's fundament.

Soon after this, he began to repeat his unnatural actions, upon which the woman, who had been peeping all the while, cried out, "I can look no longer,—"I am ready to ſwoon,—He'll ruin the boy;"—and then this deponent and the woman ruſhed in and ſeized the priſoner, as he lay upon the boy's backſide: they charged him with the fact; yet though they ſurprized him in ſo indecent a poſture, he made the greateſt proteſtations of his innocence, and ſaid, "Well, if you will ſwear falſely againſt me, and take "away my life, I cannot help it—but I have this to "comfort me, that I am fit to die."

The alehouſe-boy depoſed, that when he went into the room, Meeſon was lying on the bench, and the priſoner aſked him, (this deponent) to ſit down and drink, which he did, and then begun to kiſs him, and thruſt his hand by force into his breeches, upon which he went out, and told Mr. Rogers and the woman what had been done to him, and they

peeped through the partition, and afterwards went in and ſeized the priſoner.

While the priſoner ſtood at the bar upon his trial, he often turned up the whites of his eyes in a very devout manner. Though when he came to make his defence, he had nothing to ſay for himſelf, but that he was overtaken with liquor, and, if ever he offered any ſuch thing to Meeſon, it was more than he knew of.

The jury found him guilty, and the court ſentenced him to ſtand in the pillory without Temple-bar, to ſuffer two years impriſonment, and to pay a fine of twenty marks.

Had he been indicted for ſodomy, and found guilty, the puniſhment would have been Death; but this was an indictment, only for attempting to commit Sodomy.

The remarkable Trials of JOHN HAWKINS *and* GEORGE SIMPSON, *who were convicted of robbing the Briſtol Mail, with a full account of thoſe Criminals.*

AT the ſeſſions held at the Old Bailey in the month of May, 1722, *John Hawkins* and *George Simpſon* were indicted for aſſaulting Thomas Green on the highway, putting him in fear, and taking from him a black gelding value 10 l. the goods of Charles Pratly, two mails value 4 l. and fifty leather bags, value 5 l. the goods of our ſovereign lord the King, on the 16th of April preceeding.

Hawkins prayed the court that all the King's witneſſes might be examined apart, which was readily granted; but as the number of witneſſes was conſiderable,

rable, and as the court had occaſion to aſk many queſtions, it will be impoſſible to throw theſe trials into the narrative form, and therefore we ſhall give the particulars in the very words of the witneſſes.

Thomas Green, the poſt-boy. On Monday the 16th of April, about one in the morning, as I was riding by the Pyed-Horſe, at Slough, and blowing my horn, I was overtaken by James Ladbrook, who was travelling the ſame way. We rode in company to Langley-Broom, where a man on a cheſnut horſe made up to us, and went off again. We rode through Colnebrook, and then perceived that two men followed us at a diſtance, and, on this ſide Longford, they came up to us, with handkerchiefs in their mouths, and their wigs and hats pulled forward over their faces. The foremoſt of them was on a cheſnut horſe; he held a piſtol to my head, and ſaid, "You muſt go along with me;" and then, taking hold of my horſe's bridle, he led me down a narrow lane, and the other man brought Ladbrook after me in the ſame manner. Then they making us both diſmount, he on the cheſnut-horſe ſaid to me, "Are you the lad that ſwore againſt Child? * No," ſaid, I "I have been poſt-boy but a very little while. "Have you ever been robbed yet," ſays he, "No," ſays I. "Why then you muſt pay beverage now, for "God damn my blood and 'ouns I'll be revenged upon "ſomebody for poor Child's ſake." Then he cut Ladbrook's horſe's bridle, and turned him adrift, and, that being done, he went off with the black gelding I rode upon. As ſoon as he was gone the other man tied our hands behind us, bound us back to back, and ſo faſtened us to a tree in a ditch. Then he aſked Ladbrook, what money he had about him? Ladbrook told him, he had but three ſhillings and

* Benjamin Child was convicted at Ayleſbury, for robbing the Briſtol-mail, and executed on Friday, March 9, 1721—2.

ſixpence.

ſixpence. He ſearched Ladbrook's pockets, and finding no more, he did not take that, nor any thing elſe from him, but left us bound, and went after his companion. Ladbrook and I, with a great deal of ſtruggling, got from the tree, but could not get from one another; and ſo, tied back to back, we went to an inn in Longford, from whence the oſtler came with us, and we went down the lane together, and there we found the gelding looſe, and the bags cut open.—It was pretty dark, ſo that I cannot ſwear to the perſons, or their horſes, only I could perceive that one was a cheſnut horſe.

James Ladbrook. About one in the morning, I overtook the poſt-boy on this ſide Slough, and rode with him to Langley-broom, where we were met by a man, who, in a ſurly manner aſked us, what was o'clock? and then ſheered off again. The poſt-boy and I kept together till we came to a little on this ſide Longford, when two men, with handkerchiefs in their mouths, and their hats and wigs pulled forward over their faces, rode up to us, and, taking our horſes by the bridles, led us down the lane, and made us diſmount; one of them turned my horſe looſe, and went away with the poſt-boy's gelding. Then the other tied our hands behind us, corded us back to back, and bound us both to a tree. Then he ſearched my pockets, but finding no more than three ſhillings and ſix-pence, he did not take that from me, but went off after his comrade.

Ralph Wilſon. I have known John Hawkins theſe two years, but was not acquainted with Simpſon till Auguſt laſt. We had often conſulted together about robbing ſome mail, but did not agree upon what mail, till five days before the fact was committed, and then we reſolved it ſhould be the Briſtol-Mail. Purſuant to this reſolution, about eleven o'clock on Sunday morning, the 15th of April, we all three took horſe at the Blue-boar-Inn in Southwark;

Hawkins

Hawkins on a tall bay or brown gelding, Simpſon on a chefnut or ſorrel mare, and I on a dapple grey. We croſſed the water at Kew-ferry, dined at the Three-Pidgeons at Brentford, ſtaid there till ſix in the evening, called at the Poſt-houſe at Hounſlow, and loitered on the road till we came to the Poſt-houſe at Colnebook, where we ſupped on horſe-back; we enquired of the hoſtler what time the Briſtol-mail would come by, and he told us between one and two in the morning.

We went thence, and came to Langley-broom about midnight, where we agreed to diſpatch Simpſon alone to meet the mail. He went, and we loitered about, waiting for his return, and about one o'clock, we ſaw the poſt-boy and a traveller with him, and Simpſon following them. Then we met Simpſon, and held a freſh conſultation, in which at laſt it was agreed, that Simpſon and I ſhould follow the mail, and that Hawkins ſhould watch at a diſtance, becauſe, he being pretty bulky, would be more remarkable.

Then Hawkins and I changed horſes, and I and Simpſon followed the boy and the traveller through Colnebrook; and on this ſide of Longford, we rode up to them, and, taking hold of their horſes bridles, led them down Harmonſworth-lane, where we made them diſmount. I left Simpſon to bind them, and took the boy's gelding and mail to the end of the lane, where I found Hawkins waiting, and where in a little time Simpſon came to us.

We all rifled the bags, and carried ſeveral of them to Hounſlow-heath, where we ſelected thoſe of Bath and Briſtol, and left the reſt. Thence we rode through Kingſton and Wandſworth, and, going down a bye road, we ſearched the bags, took out what we thought fit, moſt of which we put in two riding bags, and the reſt into our pockets, and what we thought would

be

be of no ſervice to us we put into the Briſtol and Bath bags again, and threw them over a hedge.

Then, taking our way through Camberwell, we came along Greenwich road, to the Hand-Inn, in Barnaby Street, between five and ſix on Monday morning. There we put up our horſes, and drank a pint of burnt wine, and, after ſome time, took coach and drove to the Minories; where, to avoid ſuſpicion, we parted and went by different ways to Frank Green's, at the Cock and George in the Minories.

We went into a room by ourſelves, and, to take off all miſtruſt, we called for a candle, wax, paper, pen and ink, and then locking the door, we examined our prize. We reſerved only the bank notes, and burnt all the other notes and the letters, with the candle which we ſet in the chimney; we found three 20 l. bank notes, one of 25l. half of a 50 l. and two halves of 25 l. each, which we equally divided. I was apprehended on the Monday following, and made this ſame confeſſion before Mr. Carteret, the Poſt-maſter-general, and by my directions the priſoners were taken, at Mrs. Bowen's (a midwife's) in Green-arbor-court, in the Little Old-Bailey.

John Hammond. I am Oſtler at the George (the Poſt-houſe) at Hounſlow. The two priſoners and Wilſon drank a mug at our door between ſeven and eight at night, and then went Colnebrook road.

Charles Cox. I am Tapſter at the George (the Poſt-houſe) at Colnebrook. About eleven at night three men ſupped on horſeback at our door, and then rode towards Slough. I don't remember their faces, but I took more notice of the horſes they rode. One was a grey, another was a cheſnut or ſorrel, and the third a bay or brown.

Thomas Parker. I am Oſtler at the Hand-Inn, in Barnaby-ſtreet. On Monday morning, the 16th of April, between five and ſix, Simpſon and two other men came to our inn, and ordered me to put up their horſes

horſes, and give them two penny-worth of beans a-piece. One was a grey horſe, one a brown horſe, and the other a cheſnut-mare. I knew Simpſon very well, for I was born within ſeven miles of him. I ſuſpected him to be a highwayman, and told ſeveral people of it at that very time when he came with the other two.

Court. What reaſon had you to take notice of the day of the month?

Parker. I was a weekly ſervant, at 2s. per week; my maſter owed me ſeven weeks wages, which was 14 s. and he paid it me all together that very day, and therefore I kept an account of the time.

Richard Room, a conſtable. I went with Richard Mills, and others, to apprehend the priſoners at a midwife's houſe in Green-arbor-court, in the Little Old-Baily, between eight and nine at night. A woman came to the door, and aſked, what we wanted? we bid her not be frightened, but light a candle, for we were come to ſearch for ſtolen goods. The priſoners, who were above, over-heard us, and called out and ſaid, "We are the men you want, but, God "damn ye! the firſt that comes up is a dead man." We told them, we were provided for them; let them fire as ſoon as they would. Then Hawkins's brother came down foremoſt, and perſuaded them to ſurrender quietly. I told them we were come upon Wilſon's information. "Are you ſo," ſays the priſoner Hawkins, "why then we are dead men; but "we had rather loſe our lives, than ſave them in ſuch "a baſe and infamous manner as that villain Wilſon "has ſaved his."

Richard Mills. When the priſoners heard us aſk for a candle to ſearch the houſe, they called to us, and ſwore they were the men we wanted; but that they'd ſhoot the firſt man that offered to come up. We told them they might ſhoot as ſoon as they would, for we were as ready to ſhoot as they; upon which

Hawkins's brother came down firſt, and the two priſoners followed and ſurrendered themſelves.

Mr. Bell, Comptroller of the Poſt-Office. When the Poſt-boy came in, after the mail was robbed, there were ten bags wanting of which the Bath and Briſtol bags were two. But they were afterwards all brought in except thoſe two, by a man who ſaid he found them on Hounſlow-heath.

The Priſoner's defence.

John Hawkins. Wilſon is a man of ſo notorious an ill character, that he is not to be credited. He at this time ſtands impeached of ſeveral robberies on the highway, by one who is now in Newgate.

Court. There is no doubt but he is an ill man. His own evidence declares it. He confeſſes he was concerned with you in robbing the mail; but yet he is a legal witneſs. The wiſdom of the legiſlature has found it neceſſary to admit of the evidence of an accomplice, without which it would ſometimes be difficult to diſcover and convict the perſons concerned in a robbery. You are not however tried upon his ſingle teſtimony, but what he ſwears is corroborated in ſeveral circumſtances by the evidence of others, who hitherto appear to be men of undoubted credit: but if you can bring witneſſes to falſify what he or any other has ſworn againſt you, the court is ready to hear them.

Hawkins. I ſhall prove him a very profane fellow, and ſuch a one I think deſerves no credit.

Sam. Cleaver. I happened to be in an alehouſe, where Wilſon came in and fell in diſcourſe with a black, and called him Spawn of the Devil, and he uſed a great many other profane expreſſions, and drank a health to the Devil, and damnation to King George, and ſucceſs to King James the Third (as he called

called the Pretender, and ſwore, that, if he was in the field, he would fight for him againſt King George.

Court. It's a little ſtrange, that a man ſhould make uſe of ſuch dangerous expreſſions in public company.

Francis Green. I keep the Cock and George in the Minories. The priſoners and Wilſon have been ſeveral times at my houſe within theſe two or three weeks paſt; but they always were in puhlic. I don't remember that they ever locked themſelves up in a private room. I never ſaw them open any letters, nor knew any thing of their calling for pen, ink, paper and wax.

Edward Carter. Hawkins frequented my houſe. He had a bay horſe which ſtood at my ſtables for about five weeks. Wilſon, coming out of Nottinghamſhire, called upon me, and aſked me if I could give him any intelligence where he might find Hawkins and Simpſon; and then, pulling a paper out of his pocket, he ſaid, "Here's a buſineſs of my own "projecting, 'tis a ſcheme for robbing the mail."

Court. Sure he put great confidence in you, or he would hardly have truſted you with a ſecret of ſo dangerous a nature.

Carter. We were pretty well acquainted together.

Court. So it ſeems.

Carter. He uſed to drink at my houſe as another man might do. He owed me ſome money, and offered me a gown and petticoat for the debt.—And Hawkins owed me 8 l. The next morning after Wilſon had enquired for the priſoner, Hawkins came to my houſe, and aſked if Wilſon had been there to enquire for him? I ſaid, yes. And ſays Hawkins, "If he comes again, pray deny me to him, for I "find he is an idle fellow, and has an ill character, "and I don't deſire to have any farther conver-"ſation with him." When Wilſon was in the Compter I went to ſee him, and talking about the priſoners,

he ſaid, " I am ſorry that I have wrong'd Simpſon, " but I'll hang that Rogue Hawkins, if it is poſſible, " becauſe his brother has impeached me."

Henry Hunt. I have known Hawkins ſeven or eight years, and I believe him to be a very honeſt man.

Court. Why do you believe ſo?

Hunt. Becauſe he paid me very honeſtly.

Court. What buſineſs do you follow?

Hunt. I am a Stock-jobber. He has dealt with me in South-Sea and other Bubbles. He got 300 l. by Bubbling.—I ſold him in particular two River Douglaſs Bubbles for 20 l. and I have lent him ten, twenty and thirty guineas at a time, all which he paid me again very honourably.—His brother Mat kept a coffee-houſe in St. Martin's-lane.

Thomas Palmer. I keep an ale-houſe in Well-cloſe-ſquare, I have known Hawkins many years. He was born at Staines. I went to ſee him when he was in priſon; and while I was with him there, two perſons like countrymen came in, and ſomebody ſaid, " That's " Hawkins!" upon which the two perſons took two candles, and went up to Hawkins, and looked at him, but ſaid they did not know him.

Court. Who were thoſe perſons? were they any of the witneſſes?

Palmer. I don't know who they were.

Court. Then to what purpoſe have you told this ſtory?

Palmer. I know thus far, that Hawkins followed buſineſs, which he might have got an honeſt livelihood by, for he was a trader to France and Holland in wine and brandy.

—— Cheny. I ſold Hawkins ſeveral watch-caſes, and other goods, for which he paid me very honeſtly. He told me he was going to Flanders, upon which I ſent a letter by him to the Emperor's watch-

maker,

maker, and I believe he carried it, becauſe I received an anſwer.

Others depoſed, that a few years ago he was a livery ſervant to Sir Dennis Dutry, where he bore an honeſt character, and that they had often truſted him, and had dealings with him, and never found that he wronged them in any thing.

Hawkins. I have ſhewn that I was in a way of trade that I could live by, and therefore I had no occaſion to rob for a maintenance; Wilſon lies under a great temptation to ſwear our lives away; for beſides the ſaving of his own life, and the reward given by the government for convicting highwaymen, there was 200 l. promiſed for each perſon convicted of robbing the mail.

Court. He might have claimed the reward, if he had come in voluntarily; but, as he was firſt apprehended, he has no title to it.

Hawkins. I own I have rid out with him ſeveral times, and particularly on Sunday the 15th of April, (the day before the mail was robbed) when I took horſe with him and Simpſon, in order to viſit my mother at Staines. But, when we came to Hounſlow, Wilſon told us, he muſt go and ſee a friend at Windſor, and, if we would not go with him, we might go to the devil. I was reſolved not to go, and ſo I parted with them, and whether Simpſon went with him or not, I cannot ſay, but I went to my mother's, and came back to London the ſame night, and put up my horſe at William Fuller's in Bedford-bury, Covent-garden, where I ſtaid 'till next morning.

Court, to Fuller. By what token do you remember that it was the 15th of April?

Fuller. By a very good token: for he owed me a ſum of money for horſe-hire, and on Tueſday, the 10th of April, he called upon me, and paid me in full, and I gave him a receipt; and I very well remember

remember that he lay at my houſe on the Sunday night following.

Court. Have you that receipt about you?

Fuller. Yes—Here it is—[Reads] "April the "10th, 1722. Received of Mr. John Hawkins the "ſum of one pound ten ſhillings in full of all accompts, "per me William Fuller."

Court. Do you keep any book in which you enter what money you receive and pay.

Fuller. Yes.

Court. And did you enter this money in that book at the ſame time.

Fuller. Yes.

Court. Is the book here?

Fuller. No, I forgot to bring it with me; but I remember, when I read the advertiſement in the Gazette of the mail's being robbed, I compared my books and this receipt together, and found they agreed.

Court. Hand up that receipt hither — who wrote this?

Fuller. Hawkins wrote the body of it, and I ſigned it.

Court. Did you ſee him write it.

Fuller. Yes.

Court. And how long was it after he wrote it, before you ſigned it?

Fuller. I ſigned it immediately without going from the table.

Court. How many ſtandiſhes do you keep in your houſe?

Fuller. Standiſhes!

Court. Aye, ſtandiſhes—'Tis a plain queſtion.

Fuller. My Lord, but one, and that's enough for the little writing we have to do.

Court. Then you ſigned the receipt with the ſame ink that Hawkins wrote the body of it with.

Fuller. For certain.

Court.

Court. Officer! hand this receipt to the jury.—Gentlemen, you'll ſee that the body of the note is writ with one kind of ink, and the name at the bottom with another, very different; and yet this witneſs has ſworn they were both written with the ſame ink, and one immediately after the other.—— You will judge what credit is to be given to his evidence.

George Simpſon. Wilſon was impeached ſeven or eight months ago for ſeveral robberies on the highway, and was ſure of being hanged, if ever he ſhould be taken, except he could eſcape by turning evidence. So that, when he was apprehended, he impeached us of what we are innocent of, only to ſave his own life, and get the reward promiſed in the Gazette.

Anthony Dowdell. Between two and three years ago Simpſon was under butler to my Lord Caſtlemain, and was truſted with the care of all the plate for about a year and a half. He bore a good character in that place, and afterwards went to live with Mr. Green.

Mr. Green. He ſerved me honeſtly as a footman for four or five months, but I believe he has not been in any gentleman's ſervice ſince he left mine, which is about nine months ago, becauſe no body has ſince applied to me for his character.

—— Grubſhaw, a fruiterer. When he was out of place he uſed to be at my houſe, and aſſiſt my clerk in getting in money, and I never found but he behaved himſelf honeſtly.

Samuel Poole. He has been ſometimes with me, and had opportunities of robbing me of things which I could not have miſſed, but I never found he wronged me in the leaſt.

Court. That may be, for you ſay, if he had, you could not have miſſed your goods.

James

James Gibſon. He was born at Putney, and when he was a child removed from thence with his parents to Spalding in Lincolnſhire. He was ſome time ſheriff's bailiff, and kept an inn in Lincoln; but failing there, about two years and a half ago, he hired himſelf under butler to my Lord Caſtlemain, from whom he went to live with Mr. Green. In both theſe places he bore the character of an honeſt ſervant.

Court. Both he and Hawkins appear dreſſed a little above the quality of ſervants *.

Hawkins. My witneſſes have proved that after I left ſervice, I got money in the ſtocks, and dealt in wine and brandy.

Simpſon. Since I came from ſervice, I have lived with my friends in the country, who were very well to paſs. My ſiſter's huſband, Richard Elliot, dying at Bawtry in Yorkſhire, and leaving four children, I went thither to aſſiſt her in getting in the debts. After which I went to another ſiſter (Rebecca Wallet) at Sutton, from whence I came up to London about eight weeks ago.

This was confirmed by Rebecca Wallet.

The priſoners having no more to offer, the Lord Chief Baron Montague proceeded to ſum up the evidence; but before he had finiſhed, he was interrupted by an unexpected occurrence.

A perſon was then taking notes of the proceedings, and his account of this occurence is as follows; "My "ink, as it happened, was very bad, being thick at "bottom, and thin and wateriſh at top; ſo that ac- "cording as I dipped my pen, the writing appeared "very pale or pretty black.

"Now, juſt as the court was remarking on the dif- "ference of the ink in Fuller's receipt; a gentleman

* They both appeared in fair tye wigs and ruffles. Simpſon wore a genteel ſuit of light cloht, and Hawkins a ſilk night-gown.

"who

" who ſtood by me, perceiving ſomething of the ſame
" kind in my writing, deſired to look upon my notes
" for a minute. As I was not aware of any ill con-
" ſequence, I let him take the book out of my hand:
" when preſently ſhewing it to his friend, See here,
" what difference there is in the colour of the ſame
" ink! his friend took it and ſhewed it to another.
" Uneaſy at this I ſpoke to them to return me my
" book. They begged my pardon, and ſaid I ſhould
" have it in a minute; but this anſwer was no ſooner
" given, than a curioſity ſuddenly entered one of
" the jurymen who ſat juſt by, and he too begged a
" ſight of the book; which, notwithſtanding my im-
" portunity, was immediately handed to him. He
" viewed it and gave it to the next, and ſo it paſſed
" from one to the other, 'till the judge perceiving
" them very buſy, called to them.——Gentlemen,
" what are you doing? what book is that? They
" told him it was the writer's book, and they were ob-
" ſerving how the ſame ink appeared pale in one
" place, and black in another. You ought not, gen-
" tlemen, ſays he, to take notice of any thing, but
" what is produced in evidence. And, then, turning
" to me, demanded what I meant by ſhewing that
" to the jury. I anſwered, that I could not fix upon
" the perſons, for the gentlemen near me were
" all ſtrangers to me, and I was far from imagining I
" ſhould have any ſuch occaſion for taking particular
" notice of them.—His lordſhip then re-aſſumed his
" charge to the jury, which, being ended, they with-
" drew to conſider of their verdict."

They ſtaid about an hour, and then returning into court, the Fore-man ſaid, they were under ſome difficulty in relation to Fuller's receipt; for though the writing appeared of two colours, they were doubtful if that was ſufficient to prove it ſpurious. The court replied, Though the receipt had really been drawn by Hawkins, and ſigned by Fuller on

the day it is dated, yet you will find it but of little weight, when you conſider how the evidence ſtands. For

Green (the poſt-boy) ſwears, that on Monday, April, 16, about one in the morning, a man on a cheſnut-horſe met him and Ladbrook at Langly-Broom, and rode off again. That near Long-ford two men (one of them being on a cheſnut horſe) ſtopt them, led them down a lane, and making them diſmount, one of the men turned Ladbrook's horſe looſe, and went away with his (the poſt-boy's) Gelding, and then the other bound them to a tree.

Ladbrook ſwears the ſame, and in theſe particulars they perfectly agree with Wilſon.

I need not, on this occaſion, repeat what was ſworn of the two priſoners and Wilſon's taking horſe at the Boar in Southwark, and riding to Hounſlow together, becauſe Hawkins himſelf owns, that he rode ſo far with them; I ſhall only obſerve, that Wilſon and the Oſtler at the Boar both ſwear, that one rode a grey horſe, one a brown gelding, and the third a cheſnut-mare.

Hawkins, I ſay, allows, that he kept them company to Hounſlow; but then he ſays, he parted with them there, went to viſit his mother at Staines, and returned to London that night, and lay at Fuller's houſe.

But Wilſon ſwears, that they all three went together from the George at Colnebrook, where they ſupped on horſe-back.

Cox, tapſter at the George at Colnebrook, ſwears, that about 11 at night three men ſupped on horſe-back at the door, and then rode towards Slough. In deſcribing their horſes, he agrees with Wilſon and the Oſtler in Southwark.

Wilſon ſwears farther, that after they had robbed the mail, they came to town together, and put up their

their horſes at the Hand in Barnaby-ſtreet, between five and ſix on Monday morning.

Their coming together to that inn, at that time, and with ſuch horſes as Wilſon and the other witneſſes have deſcribed, is confirmed by Parker, the Oſtler of that inn, and he gives a circumſtance by which he remembers the day; for he ſays, on that very day his maſter paid him ſeven weeks wages.

Now what does Hawkins offer to invalidate the depoſitions of all theſe witneſſes? why, nothing but the ſingle teſtimony of Fuller.

Fuller ſwears, that Hawkins came to his houſe that Sunday night, and ſtaid there till next morning; and he ſays, he remembers it was the 15th of April, becauſe, on the Tueſday before, which was the 10th, he gave Hawkins a receipt for thirty ſhillings. "And "here," ſays he, the receipt is. "Hawkins wrote "the body of it, and I ſigned it immediately with the "ſame ink."

This would better have paſſed for truth, if the colour of the ink had appeared all alike. But as one part differs ſo much from the other, there is certainly room for ſuſpicion, though there may not be a full evidence of forgery.

But, ſuppoſing the receipt to be genuine, what would it prove? not that Hawkins was at Fuller's houſe on the night the mail was robbed; but only, that he and Fuller were together the Tueſday before, and that Fuller had ſome reaſon to remember, that the Sunday following was the 15th of April: this relates to his knowledge, but not to his veracity. And the queſtion now is, whether he ſwears according, or contrary to his knowledge. You have his oath, (and his only) that Hawkins lay at his houſe that night. But it appears, by the oaths of ſeveral witneſſes, that Hawkins was then elſewhere in company with Wilſon and Simpſon. Theſe witneſſes were examined a-part, and therefore their agreement in ſo many particu-

lars, is a ſtrong confirmation of what they ſwore: now nothing remains for you to conſider in this caſe, but whether you have moſt reaſon to believe theſe or Fuller.

Then the jury went out again, and, in a ſhort time, returned, and found both the priſoners guilty.

The verdict being recorded, Hawkins expreſſed himſelf to this purpoſe. I am altogether innocent of this robbery; though I don't blame my country-men for their verdict, for their intentions were honourable, but they were over-ruled by a partial judge. I have been ill dealt by: My friend has been brow-beat, and hardly ſuffered to ſpeak. I expect to die, but yet I would not change conditions with the villain that has ſaved his own life by ſwearing away mine, for I prefer death to a life ſaved in ſuch an infamous manner. My blood lies upon his head, and ſome others.—— I hope your lordſhip is not concerned in it.

Three pamphlets, relating to Hawkins and Simpſon, were publiſhed in a ſhort time after their execution; the firſt by the Chaplain of Newgate, the next by T. Sharp, and the laſt by R. Wilſon.—We ſhall make an abridgment of each, without omitting any thing material.

I. *The Ordinary of Newgate's Account.*

JOHN HAWKINS was twenty eight years of age; born at Staines in Middleſex; where his father, a ſober man, but of no great ſubſtance, intended he ſhould have been of the plaiſtering buſineſs; but he, not reliſhing ſo mean a mechanic occupation, could not induſtriouſly ſettle to that, or any thing elſe of ſuch a nature; telling me, that he believed not many men had more greatneſs of ſpirit than himſelf; but, that was ſo far from being a benefit to him, that it had occaſioned his deſtruction. After he found that he could not ſubſiſt by flying from one project

project to another, he ſettled himſelf in the family of Sir Dennis Dutry, where, as butler, he lived without any exceptions taken, as to his demeanour in the family; but, that he there gratified his natural inclinations, as to eating and drinking, and made that habitual, which was before in his conſtitution.* But an uneaſineſs happening in the famimily, which they fancied the butler was, in part, the occaſion of †, he left that place, with a good character, as to his integrity. Having been inſtructed in the nature of trading (he ſaid) to France and Flanders, in wines, brandies, &c. he joined with his brother, a captain of a veſſel or ſloop, in fetching thoſe commodities from thoſe places, and commonly paid the King's cuſtom for them: that this way of life was very agreeable to him, but his gains were not ſuperior to his loſſes, running certain hazards and accidents in thoſe matters; but, having a ſtrong and violent inclination to arrive at great riches and ſplendor on a ſudden, he left the uncertain way of dealing at ſea, to deal (he ſaid) in the South-Sea, and the bubbles, from which he had recourſe to bubbling in another way, as ſome others beſide have done, in which vicious courſes he had ſucceſs for a conſiderable time.

He much accuſed thoſe who had villainouſly aſſerted, in the news-papers, that he and Simpſon had acknowledged the fact before the juſtice of peace, together with above twenty other robberies. At the ſame time he ſhewed me an advertiſement, which deſcribed the mail to be robbed by two men; where-

* This habit of eating and drinking is the hardeſt thing in the world for a man to break himſelf of, and eſpecially if he happens to have a natural inclination to it, and his conſtitution requires it.

† We are told juſt before, that he lived without any exceptions taken as to his demeanour.

as Wilſon's information made them three in number.*——

At his trial, during the ſix hours it laſted, he behaved himſelf in a decent and becoming manner. When he found himſelf condemned, and well knew the conſequence was certain death, he put on a deportment ſurprizingly odd and bold, arraigning the court and the jury † alternately, and diſcovering (as he fancied) ſeveral irregular proceedings at his trial.—

But though he could not at firſt be induced to allow, that the ſentence paſſed upon him was agreeable to equity, declaring, that, had a certain perſon been faithful to him, the jury could never have found him guilty; and that the mildneſs of the judge was not very remarkable in this caſe: yet, after I had talked with him twice in private, I found thoſe prejudices were of themſelves fled from him; for he told me then, that he was perfectly eaſy, and ſatisfied to die, and had no ill-will towards any body; and that he expected to die ſome conſiderable time before the calamity came upon him, and when he was firſt apprehended; but that ſome, who firſt underſtand the law, had thought him a very babe to let his life ſlip away, and that if he would but exert himſelf, life was as near to him as death, &c. ‡ which diſcourſes had at firſt wholly turned his mind to life, and the world.

Being told by a gentleman, that he ought to bear no malice towards Wilſon, his friend and accuſer, becauſe he acted not out of ill-will to him, but to preſerve his life; he anſwered, that life was

* Wilſon ſwore, that himſelf and Simpſon robbed the mail, having firſt left Hawkins to watch at a diſtance; which does not at all diſagree with the advertiſement.

† He reflected on the court only.

‡ It requires great penetration to diſcover the meaning of this

ſweet,

ſweet, eſpecially to thoſe in their courſe of life, yet he himſelf would have died more deaths than one, rather than have betrayed his friend, and embrued his hands in the blood of his companion: however, he freely forgave him from the very bottom of his heart, and wiſhed the creator would ſo forgive him.

As to his deportment, there could be no objection againſt it. 'Twas ſerious with ſorrow, and obſervant with fear. But, as his death drew near, he appeared to be greatly more ſhocked than George Simpſon. At the ſacrament on Friday he changed countenance, when I told him we were to conclude the ſacrament, prayers, and all by nine of the clock on Monday morning, being the day of execution. During his devotions he ſhed a great many tears, which none elſe did; which he alſo did at the ſermon preached laſt before his death.

At the prayers, the morning that he ſuffered, though he always aimed at a ſettled and compoſed countenance, he yet appeared ruffled and ſomewhat terrified.

GEORGE SIMPSON, was about thirty-four years of age, born at Putney in Surry. He ſaid that his father was a wine merchant, and had a conſiderable eſtate; and that though he was ſome time mean, yet he was born a gentleman. He added, that his father removing from Surry into Lincolnſhire, did not ſo well bear up his head, yet he gave him a good education, and he underſtood ſomething of the law. He alſo ſaid, that ſome thought a ſheriff's bailiff (which he was at Lincoln) an ungenteel employment, but he thought a man might behave himſelf in it as became a gentleman, and ſometimes where the buſineſs would not ſet off the man, the man has ſet off the buſineſs; and that he was ignorant of the art of racking men too ſeverely for civility money. He told me beſides, that, when he kept a publick-

houſe

houſe at Lincoln, he permittted no irregularity to be committed there; but he believed he was at that time of day as well looked upon as thoſe who were in higher quality and fortune, frequently turning away lewd men and women, who would willingly have tranſacted their lewdneſs under his roof. But, delighting, he ſaid, too much in pleaſure, though the diverſions were innocent, yet his buſineſs decayed inſenſibly, and he was obliged to abſcond, and ſoon fly the country. Afterwards he ſaid, when he was ſervant to the Lord Caſtlemain, he could defy the world to alledge any thing to his prejudice.

He added, that when he left the Lord Caſtlemain's place, he needed not have again ſubmitted to the meanneſs of ſuch a ſtation, but that the loweſt life was to him more eligible, than the higheſt vicious one at that happy time. But, to prevent temptation, he afterwards ſerved Mr. Green as a footman; yet was not eaſy in ſuch a poſt, but aimed at ſome writing buſineſs, as to keep accompts, or the like. That he was aſſiſtant to Mr. Grubſhaw, a Fruiterer, in collecting his debts; and to his [own, not Grubſhaw's] ſiſter Elliot, of Bawtry, in managing her affairs, after the deceaſe of her huſband, ſhe being left with ſome ſmall children.

He was perfectly compoſed and eaſy under his troubles, never ſhed a tear, never ſeemed terrified at the approach of death, but was conſtant and regular in his devotions, ſerious at the ſacrament, and maintained the very ſame deportment to the laſt of his life. He ſaid, that Wilſon was compelled to end his own days, or ſhorten theirs; he had nothing to ſay againſt him; yet did believe, there was ſuch a tie and obligation in oaths, eſpecially taken at a * ſacred time, that he might queſtion, whether

* That is, the time when they agreed to commit a robbery.

even

even the good could excuſe the breaking through them.

He ſaid it was his unhappineſs never to have lived with the perſon who was his wife; but, on the other hand, it was his good fortune not to have any children to bequeath to diſgrace, and to the briars of a wretched world; he added, that yet, as her relations were perſons of eſtate and account, he might have entertained good expectations after their deceaſe, had he not made abortive his own proſpects, and their intentions.

Three days before his execution, he told me he felt an uncommon inward compoſure of his mind, was intirely eaſy at the proſpect of death, as he had deſerved it, and had expected a turn of fortune a great while, he ſaid, before it came upon him, deſiring to receive the holy communion twice before he ſuffered, which I agreed to, and gave it him the Friday before he died, in the chapel, and on the day of execution in another more ſilent and quiet place.

——*At, and ſome time before their execution.*

John Hawkins, being told by a gentleman, that Wilſon had owned that he and Hawkins, &c. were concerned in cutting out the antient woman's tongue, and throwing it over the hedge into the road, becauſe ſhe told the people in the robbed coach, that ſhe knew one of the robbers; this priſoner's anſwer was that he never dealt in barbarous actions. I told him, I had received a letter from the widow of Butler Fox, who deſired he would acquit Fox, if he and Simpſon were alone concerned in that robbery, for which Fox died; he ſeemed inclined to it, but ſaid, the benefiting that woman, would be harming another perſon, if he made any public declaration to the people. But, as for the robbing any nobleman's coach near Richmond, and taking a ring much valued, as

being a preſent from another perſon of quality, he abſolutely denied it.

George Simpſon ſaid, that as a certain Non-juror had aſſured him, 'twas not neceſſary to confeſs any thing, he was reſolved to confeſs nothing; but ſaid, their robberies about London had been ſo numerous, that they were too tedious then to recount, nor were they of any ſignification to the world.

They were conveyed between nine and ten of the clock to execution. No one being allowed the privilege of a coach, they appeared in the carts with uncommon tokens of repentance, ſcarce ever raiſing their eyes from their books, to regard the great crowds about them, nor tarrying to drink quantities of liquor, as is uſually done.

John Hawkins, deſiring the ſpectators to be ſilent, ſaid, "Chriſtians! I am brought to this place of "ſhame for my ſins; I beg, and earneſtly hope all "Chriſtians will join with me in prayer for the par-"don of my crimes; I forgive all, and hope to be "forgiven of all myſelf. I beg all here preſent will "take warning by my wretched death, and avoid "what led to it. Pray for me, bleſſed people! pray "for my departing ſoul! Chriſt, receive me! Lord "Jeſus, come quickly." Being in ſome confuſion, he was turned off, and died, not without prodigious difficulty and ſtruggling; contrary to his friend, who was more compoſed before he died, and more eaſily loſt, his breath.

II. *Mr.* Sharp's *Account of* Hawkins *and* Simpſon, *abridged.*

THEY behaved, during their confinement, with a great deal of decency, and declared, that Butler Fox, who was executed at Croydon the laſt aſſizes, and [James Wright] the perſon who went in a ſhroud

ſhroud to Tyburn, were innocent of the facts for which they ſuffered.

Had they not been apprehended, they would, as they declared, have put in practice the reſolution they had formed of going into foreign ſervice. They never were heard to reproach one another with their misfortunes, and freely confeſſed, they had lived looſely, but never acted barbarouſly.

Mr. Hawkins was a ſingle man; but his companion was married to a woman whom he talked very affectionately of. He had not cohabited with her, ſince he lived irregularly.

Ivy-Lane,
May 21, 1722. T. SHARP.

To this brief account the Editor adds the copies of two papers, which he ſays were delivered by Hawkins and Simpſon at Tyburn; but, as we are well aſſured, that thoſe papers are ſpurious, we ſhall take nothing from them.

III. *An Account of the Robberies committed by* John Hawkins, George Simpſon, *and their Companions, written by* Ralph Wilſon; *abridged.*

JOHN HAWKINS, at the time of his death, was about thirty * years old. His father was a farmer at Staines in Middleſex, very honeſt, but poor; and therefore could give his ſon but a ſlender education. At fourteen John waited on a gentleman, but ſoon left him to be a tapſter's boy, at the Red-Lion at Brentford, whe he continued till he got into another gentleman's ſervice: but being of an unſettled temper, he ſeldom tarried long in a place. The laſt family he was in was Sir Dennis Dutry's, where he

* The Chaplain of Newgate ſays twenty-eight.

was butler, and might have lived happily; for, being a handſome, creditable ſervant, he was approved of both by his maſter and lady. But the opinion he had of his own perſon made him too aſſuming, and he thought it a ſmall fault to be out two or three nights a week at the gaming-tables. Theſe are the nurſeries of all our highwaymen. At theſe the young fellows, being ſtripped of all their money, are prepared for the moſt deſperate enterprizes, and theſe were the ruin of Hawkins. By his repeated neglect of his maſter's buſineſs, the family was incenſed againſt him, and he was turned away, not without a ſuſpicion of having firſt been a confederate in robbing the houſe of a conſiderable value in plate. He acknowledged to me, that he had pawned an old-faſhioned piece of Dutch plate, which Sir Dennis very much valued.

After his diſcharge he wholly attended the gaming-tables, till he was reduced to ſuch neceſſity, that he wanted bread. This brought him to a reſolution of relieving himſelf by plundering others, and in order thereto he muſtered all his intereſt to procure a horſe and a pair of piſtols.

He was now twenty-four. His firſt expedition was to Hounſlow-heath, where he ſtopt a coach, and robbed the paſſengers of about 11 l. with which he returned ſafe to London, and repairing immediately to the King's-Head at Temple-Bar, he threw it all off.

Thus he went on for ſome time by himſelf, loſing at play what he got upon the road; but, finding ſome difficulties in robbing alone, he choſe for his companions, Ryley, Commerford, Reeves, and Leonard, an Iriſh captain; with whom he committed ſeveral robberies on Hounſlow and Baſhot-heaths; but though he ſometimes acquired conſiderable prizes by ſuch means, they did him but little ſervice; for he ſtill had ſuch an itching to gaming, that he could never

never forbear till he had loſt the laſt penny; ſo that he was often put to the pitiful ſhift of bilking an ordinary for a dinner.

Having followed this courſe about two years, Leonard was made a ſtate priſoner, for being concerned in the Preſton rebellion, and Hawkins and one Wooldridge, for attempting to reſcue him, were apprehended by the King's Meſſengers, but in a ſhort time were both diſcharged. A few days after this, Cummerford, Reeves and Ryley, were ſeized at Guildford; Hawkins had been with them, but he could not get a horſe. The two former were executed, and Ryley tranſported, and the government took care of Leonard. *

I ſhall here ſay ſomething of myſelf: I am now twenty two, I was educated at Kirkleatham in Cleveland, Yorkſhire, at the ſchool built there by Sir William Turner, formerly Lord-Mayor of London. At ſeventeen I was put clerk to Mr. Dixon of Lincoln's-Inn, an eminent practitioner in Chancery, and had been happy if I had followed his advice; but his buſineſs being very great, and my induſtry very little, we could not long agree, and ſo we parted.

Hawkins, being left hy himſelf, attended the gaming-tables as much as ever, where it was my misfortune to be introduced by an acquaintance, purely out of curioſity; and a fatal one it was to me!—I might wonder the Weſtminſter Magiſtrates do not ſuppreſs thoſe places, but that I know they ſubſiſt under the protection of ſuch powerful advocates! there is a yearly alliance betwixt them, which generally expires about Chriſtmas, when the advocates raiſe all their forces, and join ſome Chriſtian companies of informing conſtables. And being

* He found himſelf involved in ſuch difficulties, that he ſubmitted to be tranſported.

thus

thus prepared for ſome notable enterprize, their firſt attack is upon the three-penny gaming-tables, whence they drag away ten or a dozen needy pick-pockets. This alarms the governors of greater places, who diſpatching their agents with preſents to theſe formidable enemies of vice, all is huſhed up, and the alliance renewed.

Hawkins having ſingled me out at one of theſe tables, we ſoon became cronies, and were ſeldom aſunder, till he was apprehended on ſuſpicion of robbing a coach in Monmouth-ſtreet, of which, though guilty, he was acquitted.

My mother at this time ſent for me home to Whitby, where ſhe lives. I ſtaid with her a year, but being deſirous of returning to London, I perſuaded her to ſend me up to try the law once more. She (who always encouraged any thing in me that looked like buſineſs) agreed to it, and gave 100l. with me to Mr. Sandys in Grainge-Court. I had not been long with him, before my own infection of gaming broke out, which ſwept away both my money and cloaths. This extravagance making me unfit for a clerk, I left Mr. Sandys, and, meeting again with my old friend Hawkins, we renewed our acquaintance. I did not then certainly know the courſes he followed, though as I found he had no ſupport from his relations, I very much ſuſpected him, for which reaſon I begun again to withdraw myſelf from his company, for even at that time I abhorred the thoughts of villainy.

Hawkins had now engaged with a new gang, among which was one Pocock, who, being apprehended, impeached all the reſt: this quickly diſperſed them, and one Ralphſon, to whom they had intruſted moſt of their ſtock, went off with it to Holland, by which means Hawkins was left without money or companions, for they had all forſaken the

town

town except his brother Will, and James Wright. Will was taken on Pocock's information, and Wright was in a ſalivation. Hawkins himſelf ſkulked about town, not daring to appear, but in ſuch houſes as he could confide in, one of which I frequented, and there I firſt met him after this matter broke out. We ſoon became as familiar as ever, and, believing I would not betray him for the ſake of the reward, he told me every thing that I have related concerning him and his companions, and other paſſages that I have omitted: as that, he was preſent when Colonel Floyer ſhot Wooldridge, * and, that he himſelf ſhot General Evan's footman, which he ſaid happened thus; he ſtopped the General and another gentleman in a coach, the general and the gentleman both fired at him, upon which he ſhot directly into the coach, but miſſed them, and killed the ſervant who was behind it. He often lamented this misfortune, and, when he fell into company with a clergyman, would always be aſking ſome caſuiſtical queſtions on caſes parallel to his own; but though he fancied this was no murder, becauſe he had no deſign againſt the deceaſed, yet he was always told, that the deſign againſt the maſter made the perſon as guilty, as if it had been intended againſt the man who was killed.

I took ſo much pleaſure in hearing Hawkins relate his pranks and robberies, that I grew very fond of his company. Wright, being now recovered, he and Hawkins fell to their old ſport, and when they came home at night, I uſed to drink with them. Their firſt robbery after this re-union was in Richmond-Lane, upon the Earl of Burlington, and the Lord Bruce, from whom they took 20 l. two gold watches, and a ſaphire ring, for which his lordſhip

* Wooldridge was ſhot in the thigh with two ſlugs, he languiſhed near a month, and then died.

offered

offered 100 l. to Jonathan Wild. Hawkins pretended he ſold it for 6 l. and poor Wright thought that a good price, and gladly accepted of 3 l. for his ſnack though Hawkins then had the ring in his own poſſeſſion, and afterwards ſold it in Holland for 40 l.

James Wright was born of honeſt parents, and bred a Barber. He was one of the beſt temper, and greateſt fidelity to his companions, I ever knew in a highwayman. I cannot ſay how his acquaintance begun with Hawkins, but they two, for about a month after Wright's ſalivation, went on very proſperouſly together, before I engaged with them.

About this time a good natured countryman lent me 10 l. this was a great novelty to me, who had been ſtarving for ſome weeks; notwithſtanding which, I made all the haſte I could to the tables, and loſt it every farthing. This made me rage like a madman, and firſt rendered me capable of any impreſſion from bad company. From the table I went to Hawkins and Wright, and having drank freely, Hawkins begun to talk about robbing, but ſaid, a third was neceſſary, and aſked me if I durſt take a piſtol? I anſwered, "Yes, as well as any man, for the want "of money has made me ready for any thing." He, who was always glad of new companions, profered very kindly to get me a horſe againſt next night. I agreed, and ſo went to bed.

Next morning I recollected what had paſt over night, but reſolved on nothing leſs than to execute what I had promiſed. Hawkins, however, was as good as his word, and in the evening we ſat to drinking again: at a proper hour Hawkins told us all was ready, and I being then as hot as on the night before, and ſo in the ſame humour, made no objection, but went with them. We mounted about ten o'clock, and ſoon after robbed Sir David Dalrymple, near Winſtanley's water works: they put me upon ſtopping the coach, to try how capable I was

of

of becoming a man of buſineſs. And, unhappily for me, I performed ſo well, that Hawkins never after choſe to part with me.

We took from Sir David about 3 l. in money, a ſnuff-box, and a pocket-book, for which laſt Sir David offered 60 l. to Wild; but we returned it by a porter gratis; for we had no dealing with Wild, nor did he know either of us.

'Tis impoſſible to expreſs the anxieties I laboured under next morning, when I conſidered I had engaged in ſuch baſe actions, which, as I then thought, and have ſince found, bring nothing better than poverty and ſhame. No life is ſo gloomy as that of a robber! he's a ſtranger to peace of mind, to quiet ſlumber! and is made a property of by every villain who knows his circumſtances. This is a Hell to one who has had any reliſh of a more generous way of living: but I was entered, and knew not how to retreat; for Hawkins, who before was all complaiſance, became now my tyrant; he let me know, that I was as liable to be hanged as himſelf, and expreſſed a ſatisfaction that he had me under a hank. I have reaſon to believe, this pleaſure of his aroſe from his having one more added to his company, to make uſe of when his occaſions required. Some may think, I ſpeak this to juſtify what I have done; but when they know how vilely his brother has acted that part, and that ſuch a method of ſaving their own lives was concerted between them, they will be of another opinion. In a word, I led a dog's life, and, much again the grain, was obliged to take all in good part, for fear a quarrel ſhould bring us all into trouble.

The next coach we robbed was Mr. Hide's, of Hackney; we took from him 10 l. and a watch; but miſſed 300 l. in bank notes, which Mr. Hide has ſince told me, he then had about him. We ſeldom failed of committing two or three robberies in a week, for a month together. We ſcarce ever went

above five miles out of town, and when we returned to it again, we attacked the coaches in the ſtreets. One night in Auguſt, 1720, when all mankind were turned thieves, we robbed a coach in Chancery-Lane, another in Lincoln's-Inn-Fields, and in going off we met with my Lord Weſtmoreland, who had three footmen behind his coach: we had ſome difficulty in robbing his lordſhip, for the watch poured in upon us; but, at hearing a piſtol fired over their heads, they retired as faſt, and gave us an opportunity of eſcaping.

Theſe robberies had put me in a good condition, if the pernicious itch of gaming had not been ſo prevalent upon me. Whatever moveables we got, I ſold my ſhare to Hawkins and Wright, and played away the money. They two having made up a cargo were determined for Holland; the goods were all in the hands of Hawkins, and ready to go off with, except a watch that was in pawn, and which Wright went to redeem. We had agreed to meet at the Queen's-Head on Tower-Hill, but Wright not returning ſo ſoon as was expected, we ſent a meſſenger to ſee how the land lay, and he brought us word, that Wright was apprehended by Wild, to whom he had been betrayed by one of his own acquaintance. This alarmed us, and put us under a violent apprehenſion that Wright would impeach us, but it proved otherwiſe.

Will. Hawkins and Wright were now both priſoners. Will could not impeach us, becauſe he was impeached himſelf. Wright indeed might have taken that advantage to have ſaved his own life; but he told Jack Hawkins's wife, that he would hurt nobody, and much leſs her huſband, becauſe of his children. How well this generoſity was returned, will appear hereafter. Hawkins and I, to conceal ourſelves, went to Oxford, and ſtaid there a month; in which time he defaced ſome pictures in the gallery

lery over the Bodleian Library. The univerſity offered 100 l. to any that would diſcover the perſon who did it; and a poor Taylor, who had diſtinguiſhed himſelf for a Whig, was taken up, and impriſoned on ſuſpicion, and narrowly eſcaped a whipping.

The ſeſſions at the Old-Bailey being ended, Will. Hawkins was diſcharged, Pocock was hanged, and Wright reſerved for Kingſton aſſizes. Jack Hawkins, deſirous to ſee his brother, told me he would go for London next day, and, that he was ſorry he could not lend me money to go with him; but, that in two or three days he would ſend me 40 s. and ſo he left me with two diſmal companions, poverty, and a bad conſcience. In a little while he ſent me 10 s. I owed ſix at my quarters, which I diſcharged, and then ſet out on foot for London, with the remainder. At my arrival, I underſtood that the two brothers were gone to Holland with all Wright's goods, to the value of 50 l. and had left him ſtarving in gaol.

About the end of October they both returned to London, where I joined with them, and we went on together 'till Chriſtmas. I then became of age, and was in poſſeſſion of a ſmall eſtate my father left me, which I ſold for 350 l. But I ſoon loſt it at play, except what I lent to Jack and Will to buy horſes, which I have reaſon to remember, becauſe they never repaid me.

And we fell to buſineſs induſtriouſly, though we often left Will behind us, as a lazy coward. This fellow in company is the moſt fluſtring raſcal I ever knew. No man is more forward to ſtrike another, becauſe he confides in his ſtrength; but none was ſo backward on the road, which proceeded not from a principle of honeſty, but fear: for this, and other good cauſes, we frequently ſuſpended him, till by his good behaviour he obtained a re-admiſſion.

One night Jack and I took a ride to Hapmſtead, and, being elevated with wine, reſolved, as we returned, to rob the firſt coach we met. It happened that, about a hundred yards on this ſide Fig-Lane, we met a chariot with two gentlemen in it. As ſoon as they paſſed us, we muffled up with cape and handkerchief, and overtook them at the end of Fig-Lane. The coachman ſtopt at the firſt word, and down went the ſaſhes; I was on one ſide, and Jack on the other. The gentlemen fired both at once; one of them lodged three ſlugs in Hawkins's ſhoulder, but the other miſſed me. They were certainly brave men, and yet I thought their haſty firing was a ſign of fear. Had they ſuffered us to have come nearer they might have ſhattered us to pieces. However, we thought it beſt to move off, to prevent murder on both ſides.

This action was followed by ſuch bad weather, that we could do nothing, and, when fair weather came, our horſes heads were ſo ſwelled, we could not get them out of the ſtable; * and ſo we agreed to rob on foot in Hyde-Park. The firſt coach we attempted there was Mr. Green the Brewer's; but the coachman whipped his horſes, and left us. However, I ſhot one of his horſes, and endeavouring to fire again, I ſhot myſelf through the hand, which made my retreat very difficult, I having the wall to get over.

Being thus diſabled, I had leiſure to reflect on my deplorable condition, what I was once, and what then! I was ſoon convinced, that vengeance would one day overtake us, and ſuch a courſe of life be finiſhed with ſcandal at Tyburn. Theſe reflections brought me to a reſolution of leaving at once the town, and my follies; purſuant to which, I borrowed

* He meaes that ſo much money was owing for the keeping of the horſes.

ſome

ſome money of a friend, took my horſe out of the ſtable, and ſet forward for Yorkſhire, Feb. 1, 1721.

I cannot expreſs my ſatisfaction in this retreat; how I deteſted my late vices, and how ſincerely I reſolved never to relapſe, let my fortune be what it would. Thus prepared for an honeſt life, I arrived at Whitby, where I was well received. In a few days I fell into my mother's buſineſs, which is conſiderable, and followed it diligently, till the ſucceeding Auguſt, when one day I was ſent for to a publick-houſe, where, to my great ſurprize, I found my old friend John Hawkins, and his new companion George Simpſon. After the uſual ſalutations, Hawkins and I walked out together. I ſoon found that things looked but poorly on my ſide; he told me, they had but 40 s. between them. I aſked him why, when they were ſo ill provided, they took ſo long a journey, to a place where they could have no aſſiſtance? at this, he ſwore and raged like fury, and told me, that I had been like other men, and was now as liable to ſuffer as any body; for his brother had impeached me, and all the reſt of his companions, and I ſhould be fetched away in a few days. This ſtartled me ſo much, that I agreed to go with them. I bought Simpſon's part of ſome goods they had brought down, which came to 20 l. and lent Hawkins twenty more. We all bought horſes, and ſo came to London. Then I found that Hawkins had deceived me, for I was not impeached, nor was his brother in cuſtody. By this may be ſeen the envy of ſuch men towards their companions who deſert their villainies, and betake themſelves to an honeſt life.

However, it was not long before Will Hawkins was in earneſt taken, by the ſervants of Sir Edward Lawrence, whom he and Butler Fox had robbed in the Huntingdon coach. Will impeached every body that had been concerned with him, and me among the reſt,

reſt, though none but Fox and Wright were apprehended. Wright was in Newgate when I left London. He was removed to Kingſton at laſt ſummer aſſizes, tried there and acquitted; and, having obtained his liberty, fell into an honeſt employment, which he followed till Will Hawkins impeached him. He was convicted (and was really guilty) of a ſtreet robbery, done about two years ago, and hanged on the 22d of December laſt. If I had been taken, I ſhould have ſuffered the ſame day, which, being my birth-day, makes me remember it. And thus was poor Wright's generoſity repaid: he ſaved Hawkins to be hanged himſelf.

Butler Fox was a Porter in Milk-Street; he had a wife and three children. His acquaintance with Will Hawkins begun at Carter's houſe, by London-Wall, a neſt for high-waymen! Fox appeared on his trial to have a good reputation, though he was certainly guilty of the two robberies he was acquitted of at the Old-Bailey, and I am ſatisfied he was never guilty of more.

But, upon his being acquitted of theſe, Will Hawkins impeached him of robbing Colonel Hamilton, and at the trial ſwore, that himſelf and Fox committed that robbery, though neither of them were concerned in it; for it was done by Jack Hawkins and George Simpſon, and no other perſon; and they the ſame night informed Will of all the particulars. This I had from Jack himſelf, and I have often heard him exclaim againſt Will, for ſwearing Fox into this robbery: and, what convinces me that Jack ſpoke the truth is, that, when Will at the trial was aſked, What became of the gun they took from the Colonel? he anſwered, that they threw it away, juſt after the robbery. Now, I know this to be falſe, for I had that very gun in my hand laſt Chriſtmas.—Let me add, that the Colonel's coachman had good

eyes,

eyes, when he could ſwear to a man he had never ſeen before.

All this time we played leaſt in ſight: our moſt convenient houſe was by London-Wall; our landlord knew all our circumſtances, and found his account in that knowledge; for we ſeldom committed a robbery, but he had his ſnack by way of reckoning. As he kept a livery ſtable, we had an opportunity of riding out at all hours, ſo that we harraſſed moſt of the morning ſtage-coaches in England. One morning we robbed the Worceſter, the Glouceſter, the Cirenceſter, the Briſtol, and the Oxford coaches all together. Next morning the Chicheſter and Ipſwich, and perhaps the third morning the Portſmouth coach.—We were conſtant cuſtomers to the Bury coach. I think we touched it ten times. And for any of theſe we ſeldom rode farther than the Stone's-end. When we met with any portmanteaus, we carried them to our old cock Carter, and ranſacked them. 'Tis pity but this man, as he partook of our proſperity, ſhould have a ſnack of our adverſity, and at leaſt be ſent abroad for better education; he has ruined many a young fellow, by exciting him to actions that lead to the gallows.

Our evening enterprizes were commonly between Richmond, Hackney, Hampſtead or Bow, and London; and often behind Buckingham-Wall. We committed innumerable robberies with great ſucceſs, and might, perhaps, have continued much longer in that unhappy way, if we had not meddled with the mails.

GEORGE SIMPSON was about twenty eight * when he died. He was born at Putney in Surry, and brought up at Bowre in Lincolnſhire; he had no education, and but poor natural parts: he was

* The Ordinary's Account ſays 34.

never

never capable of deſigning, but, when any thing was contrived for him, no one was more ſpeedy, or bold in the execution; for he was equally briſk and ſtout. He had been bailiff of a hundred in Lincolnſhire, but, for ſome miſdemeanor, flying the country, he came to London, and ſerved the Lord Caſtlemain and other gentlemen, in quality of a footman. But, diſcontented with that condition of life, and becoming acquainted with Jack Hawkins, he commenced Collector on the highway.

He and Hawkins robbed Richard Weſt, Eſq. behind Buckingham-Houſe, of a gold watch, and other things of a conſiderable value, for which (though in vain) a large reward was offered.

One time, as we were making up to the Portſmouth coach, a gentleman fired at us before we ſpoke to the coachman. I can't blame him, for our paſſing the coach, and immediately returning, was a plain indication of what we aimed at. We were treated in the like manner in attempting a mourning coach, but with worſe luck! for my horſe received a wound, of which he died. One thing I thought was remarkable enough, and that was, our meeting Mr. Green and his lady behind Buckingham-Wall, and robbing them; becauſe I remember we had once before attacked the ſame coach, but being both on foot, the coachman drove away from us, upon which I told him, we ſhould have the luck to meet him again when we were mounted.

Thus we went on till the beginning of April laſt, when we began to talk of our old deſign of robbing the mails. This deſign was firſt concerted with our landlord Carter; he propoſed for us to begin with the Harwich mail, but that being as uncertain as the wind, we could not agree to wait for it. At laſt, we pitched upon the Briſtol mail, and prepared every thing for that purpoſe. I endeavoured to hinder this attempt; I told them our circumſtances were

were ſuch, that of neceſſity we were cloſely attached to one another's intereſt; for our being all impeached together would prevent any one deſigning perſon among us from betraying the other two; but that this union would be broke, when a promiſe of the King's pardon, with a reward as uſual, ſhould be publiſhed after ſuch a robbery; and, that the Poſt-Office was indefatigable in ſearching after mail-robbers; ſo that we ſhould get nothing by it but a gibbet.

Thus I reaſoned againſt myſelf, for nothing but this action could have ſet me at liberty; and happy it was for me, that my advice was rejected.

On Sunday, April 16, we ſet out, and next morning took the mail; and again, on Wedneſday morning, we robbed it a ſecond time, to get the half of ſome bank notes, the other half of which we had taken the firſt time.

On Monday, April 23, I went after dinner to ſee my horſe in Fenchurch-ſtreet; and from thence, an over-ruling fate led me to Carter's, where I found two or three men, whoſe looks I did not like, which made me withdraw abruptly: and paſſing through ſome bye allies, I got undiſcovered into Moorgate Coffee-Houſe.—This houſe I had now and then uſed for above two years paſt; becauſe, as it was frequented by ſober company, a highwayman might the better appear there without ſuſpicion. I was never much known there, for I often changed my dreſs, and was generally reſerved. But, at this time, contrary to my uſual cuſtom, I fell into a ſet of company, among whom was one who appeared to be a Quaker; he told me, there was great enquiry made after the robbers of the Briſtol mail; and, that ſome were even then ſearching for them in the neighbourhood. This confirming the ſuſpicion I had of the people I ſaw at Carter's, I paid for my gill, left the Coffee-Houſe, and took a turn in Bedlam. The me-

lancholy objects I ſaw there filled me with a thorough ſenſe of my own worſe condition. Experience had taught me, that poverty, ſhame and deſtruction, would ſooner or later, attend ſuch a courſe of life; and, recollecting ſeveral paſſages that happened ſince we robbed the mail, I had grounds to believe it was not ſafe to tarry in London. In particular, a certain perſon, who ſuſpected us to be the men, and was more my friend than theirs, adviſed me to get off, or go directly to the Poſt-houſe, and ſurrender myſelf; adding, that, if I did not, he believed Simpſon would; for that Simpſon had aſked him ſeveral previous queſtions tending to ſuch a deſign: As, whether one who was already impeached, could be an evidence againſt another? whether a perſon who ſurrendered voluntarily would be detained? and if the 200 l. reward in the Gazette was intended for him who diſcovered, or him who apprehended? I put a right conſtruction on the enquiries, and, to prevent the effects of them, determined to take a paſſage for Newcaſtle that very night, but rejected the latter part of my friend's advice.

With this reſolution I went towards Moorgate Coffee-houſe again, and in my way, met the perſons I had ſeen at Carter's. As ſoon as I paſſed them, they turned about and followed me, though not ſo cloſely but I got into the Coffee-houſe unperceived by them, for they went through Moorgate-arch. So that if I had returned by the ſame door I entered, I had eſcaped; but I unluckily (or rather luckily) went out at the fore door, where they ſtood watching in the ſtreet, and, as ſoon as they ſaw me, ſeized me. 'Tis my opinion Carter had given them ſome information, though they ſaid they had no other ſuſpicion of me, than ſeeing me at his houſe, which had been long ſuſpected as a harbour for ſuch men. They carried me to the Poſt-Office, where I was examined by the Poſt-maſter General, but he could

could make nothing of me that night. Next morning I was carried to him again, four or five times to as little purpoſe, for I ſtill inſiſted that I knew nothing of the matter, though Mr. Carteret uſed the moſt prevailing arguments to bring me to a diſcovery. But juſt as he was preparing to commit me, a meſſenger came from William Hawkins, who was priſoner in the Gatehouſe, to let them know, they need not give themſelves any farther trouble, for he had impeached me, and would convict me. At firſt, I thought this an artifice to bring me to confeſſion; but one of my friends aſſuring me there had been ſuch a meſſenger, I begun to think it hard to be hanged by a man whoſe brother's life I had ſaved; and yet on the other hand I thought it was hard that Jack Hawkins ſhould ſuffer for Will's roguery, and therefore I ſtill refuſed to confeſs. All the Poſt-Officers were ſo preſſing with me, that I believe they had as much regard to my welfare, as to their own intereſt: one of them called me aſide, and ſhewed me the following letter.

"Sir,

"I AM one of thoſe perſons who robbed the mails, "which I am ſorry for; and, to make amends, "I will ſecure my two companions, as ſoon as may "be. He whoſe hand this ſhall appear to be, will I "hope be entitled to the reward, and his pardon."

As I knew this to be Simpſon's letter, I preſently made a diſcovery; and I believe any man would have done the ſame. For this deſign againſt me diſſolved our league of friendſhip. As for thoſe who talk of the obligation of ſolemn oaths, I can aſſure them, there never were any ſuch between us: though if there had been, it is certain, ſuch oaths, which tend to the deſtruction of our country, are

ſo far from being binding, that it is a greater ſin to keep, than to break them.

Hawkins and Simpſon were apprehended on the Thurſday following. Several of the witneſſes who appeared for them at their trial were guilty of ——, particularly one, who ſwore he ſold Hawkins two River Douglaſſes; and another, who ſwore Hawkins was at his houſe the night the mail was robbed, and produced a ſpurious receipt to prove it. As for thoſe who ſwore treaſon againſt me, I never ſaw them before that time, and, if the court had regarded what they ſaid, I could eaſily have proved my principles were quite the reverſe.

Though many, who have taken the way that I took, to ſave their lives, have at laſt been hanged themſelves; yet I doubt not but Providence will enable me to make a better uſe of my deliverance. I wiſh that our ſtory may be a ſufficient caution to others, and then the end of my writing will be anſwered. They will find that we enjoyed none of thoſe ſweets which tempt men to unlawful actions; that Honeſty is the beſt policy; and that men are brought to deſtruction by ſetting at nought the firſt cauſes of it, and not conſidering, how naturally they proceed from one thing to another, 'till at laſt they get to the end of a rope.

I have this comfort under my misfortunes, that I never was concerned where any murder was committed. My crimes indeed have been great enough, but yet they have been aggravated by flying reports. The firſt, and which ſurpriſes me moſt, is, that ſeveral news-writers confidently aſſerted, that I and my companions were guilty of that horrid fact of cutting the woman's tongue out, becauſe ſhe happened to ſtand by, when we robbed the Bury coach, and that I acknowledged it. I affirm, I never acknowledged any ſuch thing, and I can prove, by things taken from that coach in Whitechapel, the morning

this

this fact is ſaid to be done, that we were not the men: for certainly, the perſons to whom thoſe things were reſtored, would not have been ſilent, if any ſuch barbarity had been acted by us. Beſides, it was given out, that this was done beyond Epping, which is ten miles beyond the place where we committed the robbery.

Another charge againſt me is, that I made it my common practice to raviſh the ladies we robbed. I wonder what wiſe perſon invented ſo unlikely a ſtory: for as we robbed within four or five miles of London, and either in the morning, or early in the evening, when we had full employment in diſmounting the horſemen who were on the road, there could be no room for what is pretended. Beſides, I defy any one to ſhew that ſuch a thing has been done theſe five years, which is the longeſt time I have been in town.

It has farther been ſaid, that I treated the gentlemen we robbed with cruelty. How falſe this is, I appeal to thoſe very gentlemen, ſome of whom have been ſince to ſee me, and ſtill remember the civility I ſhewed them.

As to a report, that I have impeached twenty-two perſons, it deſerves no farther notice than that it is falſe; though it would have been but juſtice in me, to have impeached all I had been concerned with.

I hear that one Rogers has been committed to Ayleſbury Jail on my information: in juſtice to the man, I declare I don't know him. Indeed, an inhabitant of High-Wickham, a perſon of a very odd aſpect, came to me one morning after my commitment, and ſaid, he had ſeized this Rogers, as anſwering the deſcription of Hawkins: But hearing that Hawkins and Simpſon were taken, he wanted to be informed, if I knew Rogers. I anſwered, No.

At this he looked a litttle chagrined, and, after a ſhort pauſe, invited me to take a glaſs, which I accepting,

accepting, we ſat down together, and in a little time he reſumed his diſcourſe about Rogers. "This Rogers "is certainly a highwayman," ſays he, "and I am aſ- "ſured that you know him. But I tell you poſitive- "ly," ſays I, "that I do not. "Pray," ſays he, "have not you run many dangers for a little mo- "ney?" I anſwered, "Yes." Why now," ſays he, "what if a man ſhould put you in the way of get- "ting the half of 40 l. with eaſe and ſafety?" I replied, "I ſhould make him very grateful returns. "Well then," rejoined my gentleman of the diſmal countenance, "'Tis only rapping heartily againſt this "Rogers, and the buſineſs is done." Finding by this, what the raſcal drove at, I deſired his abſence, and forwarded him down ſtairs a little haſtily. Thus it now and then happens, that ſome who paſs for men of reputation, are diſcovered to be the greateſt villains.

In fine, I am charged with being an atheiſt, a blaſphemer, and an irreligious perſon. The two former of theſe I utterly diſclaim, and appeal to all my acquaintance, if ever they heard me utter any atheiſtical or blaſphemous expreſſions. But indeed, I cannot ſay much to the third, for while a man continues in a courſe of wickedneſs, it would be the greateſt mockery to pretend to religion, ſince, to be truly religious he muſt lead a new life, which, with God's aſſiſtance, I am now reſolved to do.

R. Wilson.

The ſame day that Hawkins and Simpſon were hanged at Tyburn, their bodies were carried to Hounſlow-heath, and there hung in irons, on a gibbet erected for that purpoſe.

End of VOL. I.

MVSEVM BRITAN NICVM